

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.10.2016
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.36551 to 36562 of 2016

1.R.Rathinasapapathy	...	Petitionerin	WP.36551/16
2.D.Elangovan	...	Petitionerin	WP.36552/16
3.R.Mohan	...	Petitionerin	WP.36553/16
4.K.Boomibalan	...	Petitionerin	WP.36554/16
5.K.Ramadoss	...	Petitionerin	WP.36555/16
6.V.Thandapani	...	Petitionerin	WP.36556/16
7.G.Jayaraman	...	Petitionerin	WP.36557/16
8.G.Gunasekaran	...	Petitionerin	WP.36558/16
9.E.Thamilarasan	...	Petitionerin	WP.36559/16
10.M.Balu	...	Petitionerin	WP.36560/16
11.K.Varathan	...	Petitionerin	WP.36561/16
12.K.Lakshmanapathy	...	Petitionerin	WP.36562/16

Vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (villupuram) Ltd.,
Vazhuthareddy,
Villupuram - 605 602.1st Respondent in WP.36551,
36552, 36553, 36554, 36555, 36556,
36557, 36558, 36559, 36560, 36561
36562/16
2. The General manager,
Tamil Nadu State Transport
Corporation (villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.2nd Respondent in WP.36551,
36552, 36553, 36554, 36556
36557, 36558, 36559, 36560,
36561, 36562/16
3. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Ltd,
Cuddalore Region, Cuddalore 607 0012nd Respondent in
WP.No 36555/16

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4.The Administrator

Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare fund Scheme
Thiruvallur House, Pallavan Salai,
Chennai-600 002

...3rd Respondent in
WP.36553/16,36554/16,
36555,36560,36561/16

Prayer in WP.NO.36551/16: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to gratuity, settlement effect arrears, leave surrender, (earned leave and old medical leave), D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.05.2014 within the stipulated time as may be fixed by this Court.

WP.No.36552/2016: Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus Directing the Respondents to disburse the payments relating to Gratuity D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.05.2013 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36553/2016:Directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) Pension Commutation D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.05.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36554/2016:Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Settlement Effect Arrears Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.02.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36555/2016:Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Settlement Effect Arrears Pension Arrears Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others by calculating

D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.04.2014 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36556/2016:Directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.02.2015 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36557/2016:Directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears Pension Arrears D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.11.2014 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36558/2016:
Directing the Respondents to disburse the payments relating to Gratuity Settlement Effect Arrears Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.06.2014 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36559/2016:
Directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.06.2013 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36560/2016:Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Settlement Effect Arrears Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu

periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.06.2014 within the stipulated time as may be fixed by this Honourable Court.

WP.No.36561/2016:Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.01.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.NO.36562/2016:

Directing the Respondents to disburse the payments relating to Gratuity D.A. Arrears and others by calculating D.A. Eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.02.2013 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner in all W.Ps : Mr.G.Sakthivel
For Respondents in all W.Ps : Mr.P.Kannan Kumar

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2. The writ petitions have been filed seeking Mandamus directing the respondents to settle the retirement benefits, due to the petitioners, with interest, within the time that may be stipulated by this Court.

3.The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondents requesting to pay all the retirement benefits. But, the same have not been considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4.I have heard the learned counsel appearing for the petitioners and the learned counsel who takes notice for the respondents.

5.The issue involved in the present writ petitions is squarely covered by the judgment of the Division Bench of the Madurai Bench of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others).

6.Following the said judgment, without going into the merits of the matter, the respondents are directed to disburse the aforementioned retiral benefits to the petitioner herein, in twelve equal monthly instalments, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015. It is also made clear that the first instalment shall commence from 01.01.2017.

7.With the above direction, the present writ petitions are disposed of. No costs.

-s/d-

Assistant Registrar

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Sub-Assistant Registrar

mrp

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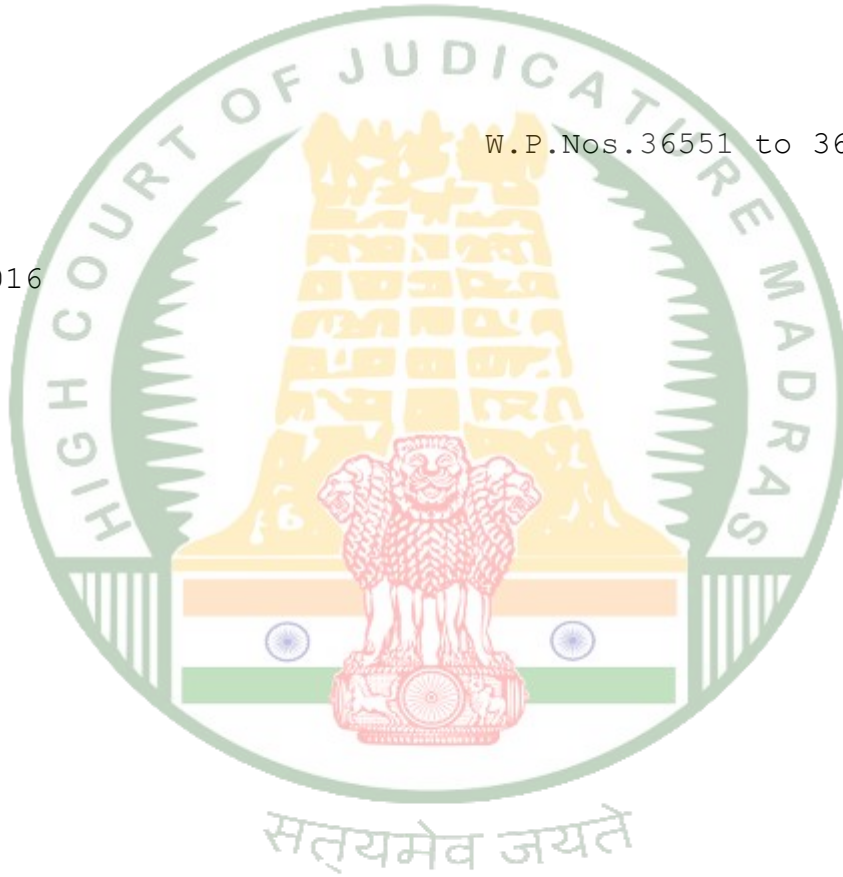
1. The Managing Director,
Tamil Nadu State Transport
Corporation (villupuram) Ltd.,
Vazhuthareddy,
Villupuram - 605 602.
2. The General manager,
Tamil Nadu State Transport
Corporation (villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
3. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Ltd,
Cuddalore Region, Cuddalore 607 001

4.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare fund Scheme
Thiruvallur House, Pallavan Salai,
Chennai-600 002

+12 ccs to Mr.G.Sakthivel Advocate sr 59278
+1 cc to Mr.P.Kannan Kumar Vide sr 60499

W.P.Nos.36551 to 36562 of 2016

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