

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.36563 to 36573 of 2016

W.P.No.36563 of 2016

R.Kaliamoorthy ... Petitioner
Vs.

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,
Villupuram Region,
Villupuram.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002. ... Respondents

Prayer : Petition are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus W.P.No.36563 of 2016: directing the respondents to disburse the payments relating to gratuity, commutation, unavailed portion leave salary, 2013 settlement arrear, CRBS pension, D.A. Arrears, Grade pay a sum of Rs.4300/- and other attendant benefits by calculating D.A. Eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.11.2013 within stipulated time as fixed by this Court.

2.W.P.No.36564 of 2016:

M.Nainamalai (Staff No.
AM0489) S/o.Muthusamy,
No.122 Samandhu Street,
TNSTC Employees Nagar,
Kandamanadi,
Villupuram.

... PETITIONER

Vs

- 1 The Managing Director,
Tamil Nadu State Transport Corporation ,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.
- 2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Villupuram Region,
Villupuram.
- 3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House, Pallavan Salai
Chennai 2.RESPONDENTS

Prayer : Petition are 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 Commutation Unavailed Portion Leave Salary 2013 Settlement Arrear CRBS Pension D.A. Arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.10.2015 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36565 OF 2016:

P.Ramalingam (Staff No.TR0707),
S/o.Pachamuthu,
No. 127/20 Rajiv Gandhi Street,
Balaji Nagar,
Periyar Nagar, South
Virudhachalam Taluk,
Cuddalore.

...Petitioner

Vs

- 1 The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.
- 2 The General Manager,
Tamil Nadu State Transport Corporation ,
(Villupuram) Limited, Cuddalore Region,
Cuddalore.
- 3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House, Pallavan Salai,
Chennai 2.

Prayer : Petition are 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 Pension Commutation Leave Encashment (Earned & Old Medical Leave) Surrender Leave 2013 Settlement Arrear CRBS Pension D.A. Arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.2.2016 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36566 of 2016:

R.Rajaraman (Staff No. TR0687),
S/o.Ramasamy,
No.114 Kabilar Street,
Periyar Nagar South, Virudhachalam Taluk,
Cuddalore District.

...Petitioner

Vs

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

- 3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House, Pallavan Salai,
Chennai 2. ...Respondents

Prayer : Petition are 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 Pension Commutation Leave Encashment (Earned & Old Medical Leave) Surrender Leave 2013 Settlement Arrear CRBS Pension D.A. Arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.6.2014 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36567 of 2016:

R.Sundara Raju (Staff No. CR1973),
S/o.V.Rangarajan, Chittalingamadam,
Tirukovilur Taluk,
Villupuram District. ... Petitioner

Vs

- 1 The Managing Director,
Tamil Nadu State Transport Corporation ,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.
- 2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Tiruvannamalai Region,
Tiruvannamalai.
- 3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House, Pallavan Salai,
Chennai 2. ...Respondents

Prayer : Petition are 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 Pension Commutation Leave Encashment (Earned & Old Medical Leave) Surrender Leave Amount CRBS Pension D.A. Arrears IRT Amount Welfare Fund D.A. Arrears Last 10 days Salary and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.7.2015 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36568 of 2016:

P.Govindaraju (Staff No. SR1039)
S/o.Periyasamy, Kadathur Main Road,
Thengiyathanam Post, Chinnasalem Taluk,
Villupuram District.

Vs

- 1 The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.
- 2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Villupuram Region,
Villupuram. ...Rspondents

Prayer : Petition are 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 Leave Surrender D.A. Arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.10.2013 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36569 of 2016:

A.Krishnamoorthy (Staff No. DR2433),
S/o.Ayyasamy East Street,
Mudiyanur Post, Kallakurichi Taluk,
Villupuram District. ... Petitioner

Vs
सत्यमेव जयते

- 1 The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.
- 2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Villupuram Region,
Villupuram. ...Respondents

Prayer : Petition are 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 other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.9.2012 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36570 of 2016:

T.Deivegan (Staff No. CR1069),
S/o.Thangavelu East Street,
Mudiyanur Post, Kallakurichi Taluk,
Villupuram District. Petitioner

Vs

- 1 The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.
- 2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Villupuram Region,
Villupuram. Respondents

Prayer : Petition are 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 other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.7.2013 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36571 of 2016:

R.Subramanian (Staff No. CR1095),
S/o.Rajagopal No.4/100/84,
Nathakarai, Thalaivasal Post, Attur Taluk,
Salem District.Petitioner

Vs

- 1 The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.

- 2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Villupuram Region,
Villupuram. ...Respondents

Prayer : Petition are 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 Leave Surrender D.A. Arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.6.2013 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36572 of 2016:

G.Singaravelu (Staff No.TR0670),
S/o.Ganapathy,
No. 139A TT Rajan Nagar,
Gandhi Nagar Post, Vadakuthu,
Kurinjipadi Taluk,
Cuddalore District. ...Petitioner

Vs

- 1 The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.
- 2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Cuddalore Region,
Cuddalore.
- 3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House,
Pallavan Salai,
Chennai 2. ...Respondents

Prayer : Petition are 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 Pension Commutation Leave Encashment (Earned & Old Medical Leave) Surrender Leave 2013 Settlement Arrear CRBS Pension D.A. Arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.7.2014 within stipulated time as may be fixed by this Honourable Court.

W.P.No.36573 of 2016:

A.Megarajan (Staff No. SR1027),
S/o.Adimoolam No.3/39 West Street,
Kurur Village, Mudiyanur Post,
Kallakurichi Taluk,
Villupuram District.

... Petitioner

Vs

1 The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Vazhuthareddy,
Villupuram 605 602.

2 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited, Villupuram Region,
Villupuram.Respondents

Prayer : Petition are 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 Unavailed Portion Leave Salary D.A. Arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.9.2013 within stipulated time as may be fixed by this Honourable Court.

For Petitioner in all W.Ps : Mr.J.Pradeep

For Respondents in all W.Ps : Mr.S.Sairaman

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.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

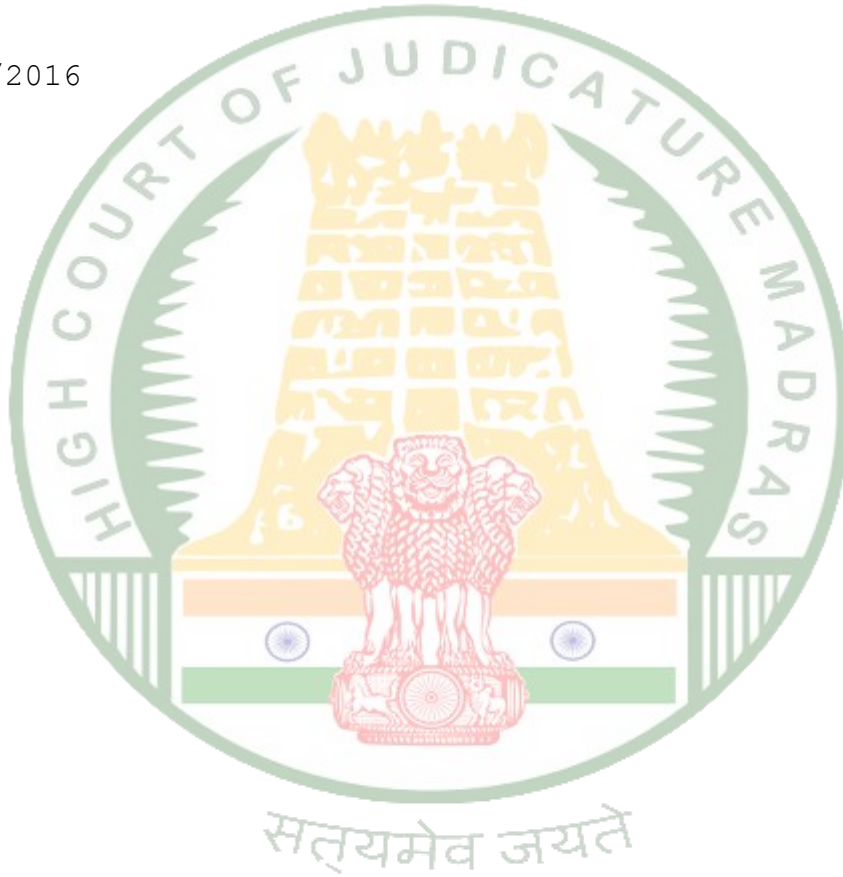
1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy,
Villupuram - 605 602.
2. The General manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Villupuram Region,
Villupuram.

3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

+1cc to M/S.S.Sairaman, Advocate Sr.59539

W.P.Nos.36563 to 36573 of 2016

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srg 08/11/2016



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