

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.10.2016
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.36699 and 36700 of 2016

A.Parthasarathy, (Staff No.AM0480)

... Petitioner in W.P.No.36699/2016

B.Mani, (Staff No.CR1738)

... Petitioner in W.P.No.36700/2016

Vs.

- 1 The Managing Director
Tamilnadu 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 - 600 002.

... Respondents in both W.Ps.

Prayer in W.P.No.36699 of 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, Pension Commutation, Unavailed Portion Leave Salary, D.A. arrears and 12(3) Settlement arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented Scheme with interest at 12% per annum with effect from 01.05.2015 within stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.36700 of 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, Pension Commutation, Unavailed Portion Leave Salary, D.A. arrears and 12(3)

Settlement arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented Scheme with interest at 12% per annum with effect from 01.08.2014 within stipulated time as may be fixed by this Honourable Court.

For Petitioners : Mr.J.Pradeep
For Respondents : 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 from the date of retirement, within the stipulated time as may be fixed 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 respondent 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 take 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 respondent is 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

True Copy

Sub-Assistant Registrar

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To

- 1 The Managing Director
Tamilnadu State Transport
Corporation (Villupuram) Limited,
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Villupuram - 605 602.
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(Villupuram) Limited,
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Thiruvalluvar House, Pallavan Salai,
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+2 cs to Mr.J.Pradeep Advocate sr 60458
+1 cc to Mr.S.Sairaman Advocate sr 59548

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36700 of 2016

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