

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.36904 and 36905 of 2016

V.Devaraj ...Petitioner in W.P.No.36904 of 2016
G.Arumugam ...Petitioner in W.P.No.36905 of 2016

.vs.

- 1.Tamil Nadu State Transport Corporation (Villupuram) Ltd
Rep.by the Managing Director,
3/137, Salamedu,
Veludha Reddy Post,
Villupuram- 605 602.
- 2.Tamil Nadu State Transport Corporation (Villupuram) Ltd,
Rep.by the General Manager,
Kancheepuram Region,
Kancheepuram.
- 3.Tamil Nadu State Transport Corporation (Villupuram) Ltd,
Employees Post Retirement Welfare Fund Scheme,
Rep.by: The Administrator,
Thiruvalluvar House, Pallvan Salai,
Chennai - 600 002. ... Respondents in all W.Ps.

Writ Petition Nos.36904 and 36905 of 2016 have been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to settle the service gratuity payable to the petitioners with revised pension arrears and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on the representation of the petitioners dated 07.10.2016.

For Petitioners : M/s.N.Ishak
in all the writ petitions
For Respondents : Mr.P.Kannan Kumar
in all the writ petitions.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners joined the services of the Transport Corporation and they retired from service long before. The grievance of the petitioners is that though they retired from service long before, till date, they were not paid with the retirement benefits. In this regard, the petitioners submitted representations before the respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petitions have been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned counsel, who has taken notice on behalf of the respondents.

4. 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).

5. Following the said judgment, without going into the merits of the matter, the respondents are directed to disburse the aforementioned retiral benefits to the petitioners 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.

6. With the above direction, both the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd,
3/137, Salamedu,
Veludha Reddy Post,
Villupuram- 605 602.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd,
Kancheepuram Region,
Kancheepuram.
- 3.The Administrator,
Tamil Nadu State Transport Corporation (Villupuram) Ltd,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallvan Salai,
Chennai - 600 002.

+2 cc to Mr.N. Ishak, Advocate, S.R.No.59759 & 60101

+2 cc to P.Kannan Kumar, Advocate Sr.No.60967

trm (CO)
md (07/11/2016)

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W.P.Nos.36904 and 36905/2016