

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37121 to 37125 of 2016

B.Selvaraj ... Petitioner in W.P.37121/2016.

V.Govndarajan ... Petitioner in W.P.37122/2016.

A.sengodan ... Petitioner in W.P.37123/2016.

S.A.Selvaraju ... Petitioner in W.p.37124/2016.

P.Velu ... Petitioner in W.P.37125/2016.

Vs

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem-7.

2.The Administrator,
Tamil Nadu state Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002
... Respondents in all Wps.

W.P.No.37121 of 2016 & 37123/2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to provident fund, gratuity, commutation, leave encashment (Earned Leave & Old Medical Leave), leave surrender for the year 2009-2011, labour Welfare Fund, IRT Share Amount, D.A.Arrears and all other retirement benefits by calculating D.A.eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.01.2015, and 1.9.2016 respectively within the stipulated time as may be fixed by this Court.

WP.Nos.37122,37124 & 37125/2016

Petitioners filed under Article 226 of the constitution of India, Praying for a writ of mandamus directing the respondents to

disburse the payments relating to [Gratuity, commutation, leave Encashment Earned Leave and old Medical leave], Leave Surrender for the year 2009-2011, labour welfare fund, IRT share Amount, DA Arrears and all other retirement benefits by calculating DA-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 1.6.15, 1.1.15 and 1.3.14. respectively within the stipulated time as may be fixed by this court.

For Petitioner : Mr.G.Sakthivel,
in all the writ petitions.
For Respondents : Mr.P.Paramasivadosh,
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 1.1.2017.

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

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

sbi

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem-7.

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

+1 cc to MR.P.PARAMASIVA DOASS Advocate SR.NO. 60839

+5 cc to MR.G.SAKTHVEL Advocate SR.NO. 60461

ssi[co]

RD 12/11/2016

W.P.Nos.37121 to
37125 of 2016

सत्यमेव जयते

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