

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.10.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.37126 to 37129 of 2016

V.Nagarajan ... Petitioner in
W.P.No.37126 of 2016

T.Murugaraj ... Petitioner in
W.P.No.37127 of 2016

K.Mathaiyan ... Petitioner in
W.P.No.37128 of 2016

K.Kuppusamy ... Petitioner in
W.P.No.37129 of 2016

Vs

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem-7. ... 1st respondent in
W.P.Nos.37126 & 37128 of 2016

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Limited,
No.37, Mettupalayam Road,
Corporate office
Coimbatore. ... 1st respondent in
W.P.Nos.37127 and 37129 of 2016

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

Prayer in W.P.No.37126 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the surrender leave salary i.e. earned leave balance as on 31.03.2014 with interest at 12% per annum with effect from 01.04.2016 and other monetary benefits within stipulated time as may be fixed by this Court.

Prayer in W.P.No.37127 of 2016: Writ petition 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 gratuity, pension, commutation, family welfare fund balance ERBS pension arrears, surrender leave salary i.e. earned leave balance as on 30.11.2013, balance dearness allowance, surrender medical leave salary up to 1.9.1998 by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Court.

Prayer in W.P.No.37128 of 2016: Writ petition 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 funds, gratuity, pension commutation, family welfare fund balance ERBS pension arrears, surrender leave salary i.e. Earned leave balance as on 31.03.2013, balance dearness allowance, surrender medical leave salary up to 1.9.1998 by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Court.

Prayer in W.P.No.37129 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the surrender leave salary i.e. earned leave balance as on 30.04.2016 with interest at 12% per annum with effect from 01.04.2016, within stipulated time as may be fixed by this Court.

For Petitioner : Mr.I.C.Vasudevan,
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 1.1.2017.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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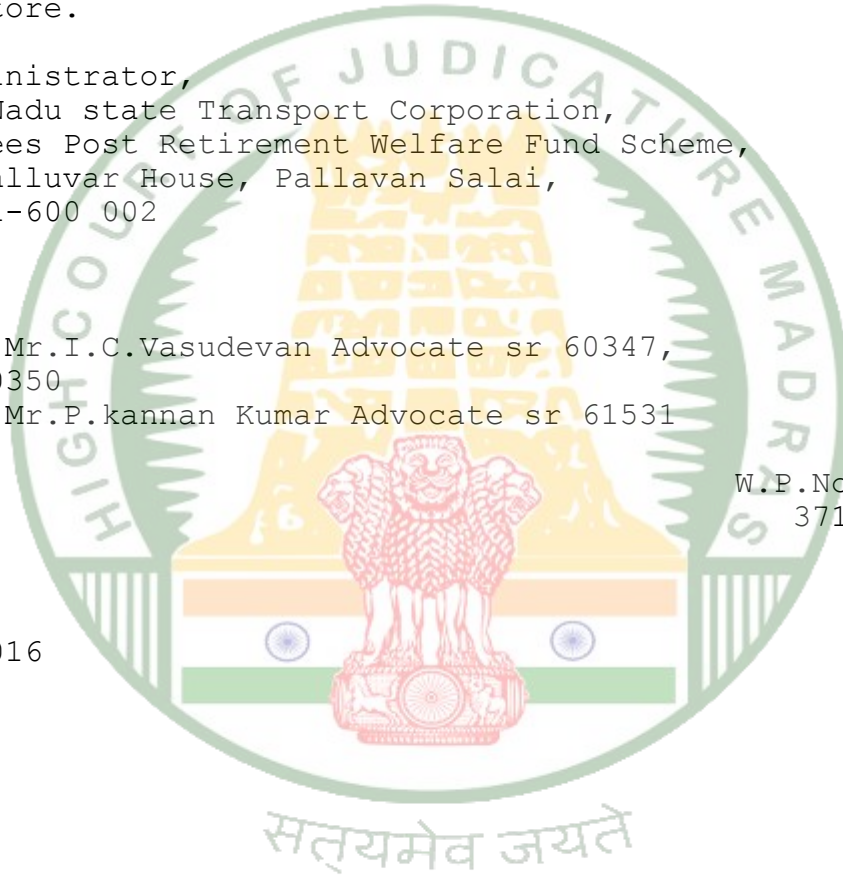
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- 2.The Managing Director,
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Chennai-600 002

+3 ccs to Mr.I.C.Vasudevan Advocate sr 60347,
60349 & 60350

+2 ccs to Mr.P.kannan Kumar Advocate sr 61531

W.P.Nos.37126 to
37129 of 2016

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