

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37130 to 37134 of 2016

K.Veerappan ... Petitioner in
W.P.No.37130 of 2016

T.Sekar ... Petitioner in
W.P.No.37131 of 2016

V.Palaniyappan ... Petitioner in
W.P.No.37132 of 2016

N.Ettikan ... Petitioner in
W.P.No.37133 of 2016

R.Arumugam ... Petitioner in
W.P.No.37134 of 2016

Vs

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

2.The Administrator,
Tamil Nadu state Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002

... Respondents in all
the W.Ps.

Prayer in W.P.No.37130 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 to the petitioner, his legitimate entitlements of terminal benefits viz., Provident Funds Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, surrender Leave Salary Earned leave balance as on 30.11.2014, balance dearness allowance and surrender medical leave salary, calculating D.A.Eligible as per newly implemented scheme and other terminal

benefits payable to him with interest at 18% per annum with effect from 1.12.2014, within the stipulated time to be fixed by this Court.

Prayer in W.P.No.37131 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 to the petitioner, his legitimate entitlements of terminal benefits viz., Provident Funds Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, surrender Leave Salary Earned leave balance as on 31.05.2016, balance dearness allowance and surrender medical leave salary, calculating D.A.Eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 18% per annum with effect from 1.6.2016, within the stipulated time to be fixed by this Court.

Prayer in W.P.No.37132 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 to the petitioner, his legitimate entitlements of terminal benefits viz., Provident Funds Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, surrender Leave Salary Earned leave balance as on 31.01.2014, balance dearness allowance and surrender medical leave salary, calculating D.A.Eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 12% per annum with effect from 1.2.2014, within the stipulated time to be fixed by this Court.

Prayer in W.P.No.37133 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 to the petitioner, his legitimate entitlements of terminal benefits viz., Provident Funds, Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, surrender Leave Salary Earned leave balance as on 31.01.2014, balance dearness allowance and surrender medical leave salary, calculating D.A.Eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 18% per annum with effect from 1.2.2014, within the stipulated time to be fixed by this Court.

Prayer in W.P.No.37134 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 to the petitioner, his legitimate entitlements of terminal benefits viz., Provident Funds Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, surrender Leave Salary Earned leave balance as on 31.3.2013, balance dearness allowance and surrender medical leave salary, calculating

D.A. Eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 18% per annum with effect from 1.4.2013, within the stipulated time to be fixed by this Court.

For Petitioner : Mr.K.Selvakumar,
in all WPs

For Respondents : Mr.P.Paramasivadosh,
in all WPs

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/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

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

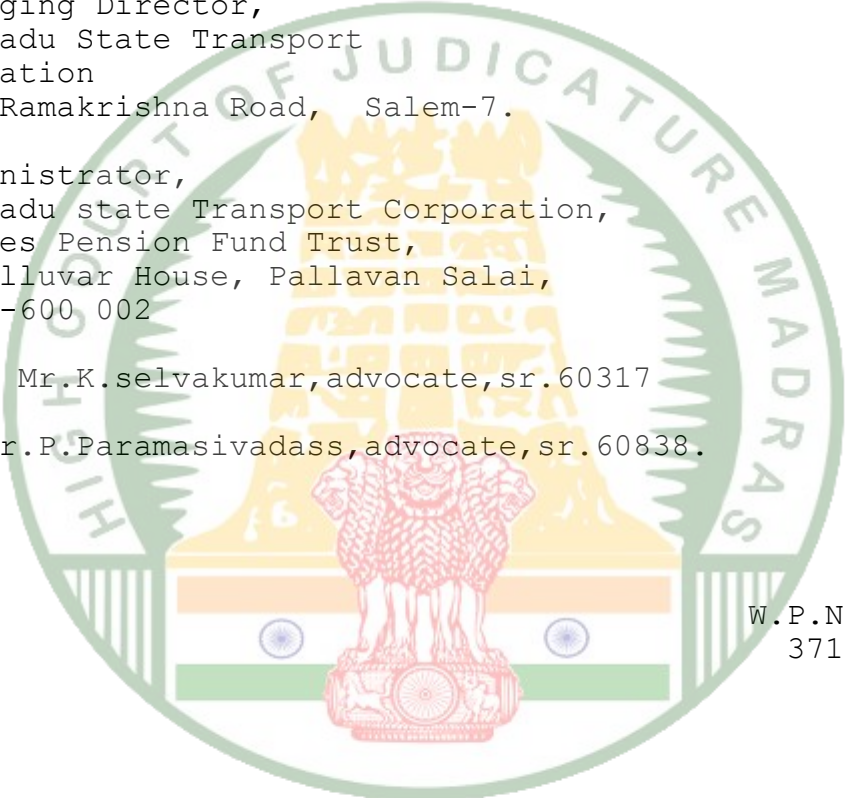
2.The Administrator,
Tamil Nadu state Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002

+5 cc's to Mr.K.selvakumar,advocate,sr.60317

+1 cc to Mr.P.Paramasivadass,advocate,sr.60838.

gr(co)
krd 23/11

W.P.Nos.37130 to
37134 of 2016



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