

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37172 & 37173 of 2016

T.M.Sivalingam (M) ... Petitioner in W.P.37172 of 2016

C.Munisamy ... Petitioner in W.P.37173 of 2016

Vs

1. Tamilnadu State Transport Corporation,
(Villupuram) Ltd.,
rep.by its Managing Director,
3/137, Salamedu,
Valudareddy Post
Villupuram-605 602
2. The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore-632 009
3. Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
rep.by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002

... Respondents in
both the W.Ps.

Prayer in W.P.No.37172 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 pay and settle all the retirement benefits due to the petitioner including gratuity, commutation, leave salary, labour welfare fund, deposit in respect of medical and engineering colleges and all other retirement benefits and arrears of revised salary in full together with interest at the rate of 18% per annum from the date when the payment became due till the date of payment to the petitioner, within a specified time limit as may be fixed by this Court.

Prayer in W.P.No.37173 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 pay and settle all the retirement benefits due to the petitioner including gratuity, leave salary and leave surrender salary and all other retirement benefits and arrears of revised salary in full together with interest at the rate of 18% per annum from the date when the payment became due till the date of payment to the petitioner, within a specified time limit as may be fixed by this Court.

For Petitioner : Mr.S.P.Parvadhraj Arumugam
in both the Writ Petitions

For Respondents : Mr.P.Kannankumar,
in both 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, both the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Managing Director,
Tamilnadu State Transport Corporation,
(Villupuram) Ltd.
3/137, Salamedu,
Valudareddy Post
Villupuram-605 602
2. The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore-632 009
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002

+2cc's to Mr.S.P.Parvadhraj Arumugam, Advocate, S.R.No.60356

W.P.Nos.37172 and 37173 of 2016

LRS (CO)
CA(18/11/2016)