

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.10.2016
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.37188 to 37191 of 2016

R.Deenadayalan, (Staff No.CR08618)
... Petitioner in W.P.No.37188/2016
M.Sammandamoorthy, (Staff No.P.R.No.08755)
... Petitioner in W.P.No.37189/2016
K.Kotteeswaran, (Staff No.CI15234)
... Petitioner in W.P.No.37190/2016
S.Sivaji, (Staff No.40600)
... Petitioner in W.P.No.37191/2016

Vs.

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
... 1st Respondent in all the W.Ps.
- 2 The General Manager
Tamil Nadu State Transport Corporation (Villupuram)
Limited,
Tiruvannamalai Region,
Tiruvannamalai.
... 2nd Respondent in W.P.37188/2016
- 2 The General Manager
Tamil Nadu State Transport Corporation (Villupuram)
Limited,
Vellore Region,
Vellore.
... 2nd Respondent in W.Ps.37189 to
37191/2016
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvallur House, Pallavan Salai,
Chennai - 600 002.
... 3rd Respondent in all the W.Ps.

Prayer in W.P.No.37188 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity, CRBS Pension, D.A. Arrears (2013) 5.5 Settlement Arrears, 5.5 Pension Arrears, Last 10 days Salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.06.2014 within stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.37189 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), CRBS Pension, D.A. Arrears and Last 10 days Salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.03.2016 within stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.37190 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), CRBS Pension, Last 10 days Salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.07.2016 within stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.37191 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned Leave), CRBS Pension, Last 10 days Salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.06.2016 within stipulated time as may be fixed by this Honourable Court.

For Petitioners : Mr.J.Pradeep in all the W.Ps.

For Respondents : Mr.P.Kannan Kumar in all the W.Ps

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2.The writ petitions have been filed seeking Mandamus directing

the respondents to settle the retirement benefits, due to the petitioners, by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from the date of retirement, within a stipulated time as may be fixed by this Court.

3.The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondent requesting to pay all the retirement benefits. But, the same have not been considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4.I have heard the learned counsel appearing for the petitioners and the learned counsel who take notice for the respondents.

5.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).

6.Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to the petitioner 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.

7.With the above direction, the present writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation (Villupuram)
Limited,
Tiruvannamalai Region,
Tiruvannamalai.
- 3 The General Manager
Tamil Nadu State Transport Corporation (Villupuram)
Limited,
Vellore Region,
Vellore.
- 4 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvallur House, Pallavan Salai,
Chennai - 600 002.

+2cc to Mr. P. Kannan Kumar, Advocate, S.R.No.61806
+4cc to Mr.*, Advocate, S.R.No. 61535

ug(CO)
md (8/11/2016)

W.P.Nos. 37188 to 37191 of 2016