

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.37196 to 37198 of 2016

A.Gunasekaran	... Petitioner in W.P.No.37196/2016
M.A.Sekar	... Petitioner in W.P.No.37197/2016
K.Pandurangan	... Petitioner in W.P.No.37198/2016

Vs.

- 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,
Vellore Region,
Vellore - 632 109.
 - 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvallur House, Pallavan Salai,
Chennai - 600 002.
- ... Respondents in all the W.Ps.

Prayer in W.P.No.37196 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, Commutation, Leave Encashment and Pension Arrears and Settlement Arrears calculating as per the new rates implemented as per the 12th wage settlement agreement, with interest at 18% per annum with effect from 01.07.2014.

Prayer in W.P.No.37197 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, Commutation, Leave Encashment and Pension Arrears and Settlement Arrears calculating as per the new rates implemented as per the 12th wage settlement agreement, with interest at 18% per annum with effect from 01.07.2014.

Prayer in W.P.No.37198 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 and Security Deposit with interest at 18% per annum with effect from 01.10.2012.

For Petitioners : Dr.T.M.Kannan

For Respondents : Mr.P.Kannan Kumar

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, along with interest.

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/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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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,
Vellore Region,
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Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvallur House, Pallavan Salai,
Chennai - 600 002.

2 ccs to Dr.T.M.Kannan, Advocate, sr. 60693

2 ccs to Mr.P.Kannan Kumar, advocate Sr. 61903

1 cc to Dr.T.M. Kannan, Advocate, Sr. 60691 (23/11/2016)

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37198 of 2016

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