

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.37238 to 37242 of 2016

G.Sekar	... Petitioner in W.P.No.37238/2016
P.Pandian	... Petitioner in W.P.No.37239/2016
B.Maheswari	... Petitioner in W.P.No.37240/2016
K.Lalitha	... Petitioner in W.P.No.37241/2016
K.Muthamizh Selvi	... Petitioner in W.P.No.37242/2016

Vs.

M/s.State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002. ... Respondent in all the W.Ps.

Prayer in W.P.No.37238 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of Surrender of earned leave 119 days and Medical leave 54.5 days amount of Rs.1,73,500/- and social security scheme amount of Rs.35,000/- altogether a sum of Rs.2,08,500/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 03.10.2016.

Prayer in W.P.No.37239 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of 61.5 days of earned leave amount of Rs.75,460/-, Gratuity amount of Rs.7,50,000/-, social security scheme amount of Rs.30,000/-, commutation amount of Rs.3,50,000/- and Erode Engineering and medical College refund amount of Rs.5,000/- altogether a sum of Rs.12,10,460/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 13.10.2016.

Prayer in W.P.No.37240 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of Gratuity amount of Rs.4,30,835/-, surrender of earned leave 21 days amount of Rs.26,433/-, Social security scheme amount of Rs.30,000/-, Erode Engineering and Perundurai Medical College

refund amount of Rs.4,500/- and commutation amount of Rs.1,85,234/- altogether a sum of Rs.6,77,002/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 13.10.2016.

Prayer in W.P.No.37241 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of Commutation amount of Rs.3,06,780/-, Gratuity amount of Rs.6,70,562/-, surrender of earned leave amount of Rs.24,376/-, unearned leave on private affairs amount of Rs.50,000/-, Social security scheme amount of Rs.28,643/- and Erode Engineering College and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.10,84,861/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 14.10.2016.

Prayer in W.P.No.37242 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of Gratuity amount of Rs.5,42,438/-, Commutation amount of Rs.2,33,250/-, surrender of earned leave amount of Rs.3,45,797/-, Social security scheme amount of Rs.28,077/- and Erode Engineering College and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.11,54,062/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 14.10.2016.

For Petitioner : Mr.D.Soundarraaj
in all WPs
For Respondent : Mr.P.Kannan Kumar
in all WPs

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 respondent.

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 IV)

/true copy/

Sub Asst. Registrar

To
The Managing Director,
M/s.State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.

+5 cc's to Mr.D.Soundarraaj,advocate,sr.60642 to 646

+5 cc's to Mr.P.kannankumar,advocate,sr.61807 to 91910 & 912

gr(co)
krd 25/11

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37242 of 2016