

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.37252 to 37254 of 2016

P.Dhamotharan ... Petitioner in W.P.No.37252/2016
A.Jeyaraman ... Petitioner in W.P.No.37253/2016
R.Chandran ... Petitioner in W.P.No.37254/2016

Vs.

1 The Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Represented by its General Manager,
Villupuram Region,
3/137, Saalamedu,
Villupuram - 605 602.

2 The Administrator
The Tamil Nadu State Transport Corporation Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

... Respondents in all the W.Ps.

Prayer in W.P.No.37252 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, I.R.T. Share amount, Earned Leave Wages for 212.5 days, labour Welfare Fund and Dearness allowance payable to him along with

monthly pension with reasonable rate of interest as per the settlement dated 13.04.2015 U/s 12(3) of ID Act w.e.f.01.09.2013 with reasonable rate of interest within the time that may be stipulated by this Honourable Court.

Prayer in W.P.No.37253 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to

settle the petitioner's retirement benefits including Gratuity, Commutation, I.R.T. Share amount, Earned Leave Wages for 63.5 days and Dearness allowance payable to him along with monthly pension with reasonable rate of interest as per the settlement dated 13.04.2015 U/s 12(3) of ID Act w.e.f.01.09.2013 with reasonable rate of interest within the time that may be stipulated by this Honourable Court.

Prayer in W.P.No.37254 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, I.R.T. Share amount, Earned Leave Wages for 67 days and Dearness allowance payable to him along with monthly pension as per the settlement dated 13.04.2015 U/s 12(3) of ID Act w.e.f.01.09.2013 with reasonable rate of interest within the time that may be stipulated by this Honourable Court.

For Petitioners : Mr.V.Ajoy Khose
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.

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/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1 The Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Represented by its General Manager,
Villupuram Region,
3/137, Saalamedu,
Villupuram - 605 602.

2 The Administrator
The Tamil Nadu State Transport Corporation Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.V. Ajoy Khose, Advocate, S.R.No.60704

+2cc to Mr.P. Kannan Kumar, Advocate, S.R.No.61800(24/11/2016)

mp (CO)

md (15/11/2016)

W.P.Nos.37252 to 37254 of 2016