

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

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.37309 to 37312 of 2016

P.Kalyanasundaram ... Petitioner in W.P.No.37309/2016
V.Palanisamy ... Petitioner in W.P.No.37310/2016
V.Subburathinasamy ... Petitioner in W.P.No.37311/2016
T.M.Abdul Syed ... Petitioner in W.P.No.37312/2016

Vs.

- 1 Tamilnadu State Transport Corporation (Salem) Ltd.,
Rep by its Managing Director,
12, Ramakrishna Road,
Salem - 636 007.
- 2 The General Manager
Tamilnadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region,
Dharmapuri.
- 3 Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 600 002.
... Respondents in all the W.Ps.

Prayer in W.P.No.37309 of 2016:

Petition filed under Article 226 of the Constitution of India to issue 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 Honourable Court.

Prayer in W.P.No.37310 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay and settle all the retirement benefits due to the petitioner

including Provident Fund, Commutation, 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 Honourable Court.

Prayer in W.P.No.37311 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay and settle all the retirement benefits due to the petitioner including Provident Fund, 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 Honourable Court.

Prayer in W.P.No.37312 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay and settle all the retirement benefits due to the petitioner including 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 Honourable Court.

For Petitioners : Mr.S.P.Parvadhraj Arumugam
For Respondents : Mr.P.Paramasivadoss

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, within a specified time limit 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(CO)

//True Copy//

Sub Assistant Registrar

To

- 1 The Managing Director,
Tamilnadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Road,
Salem - 636 007.

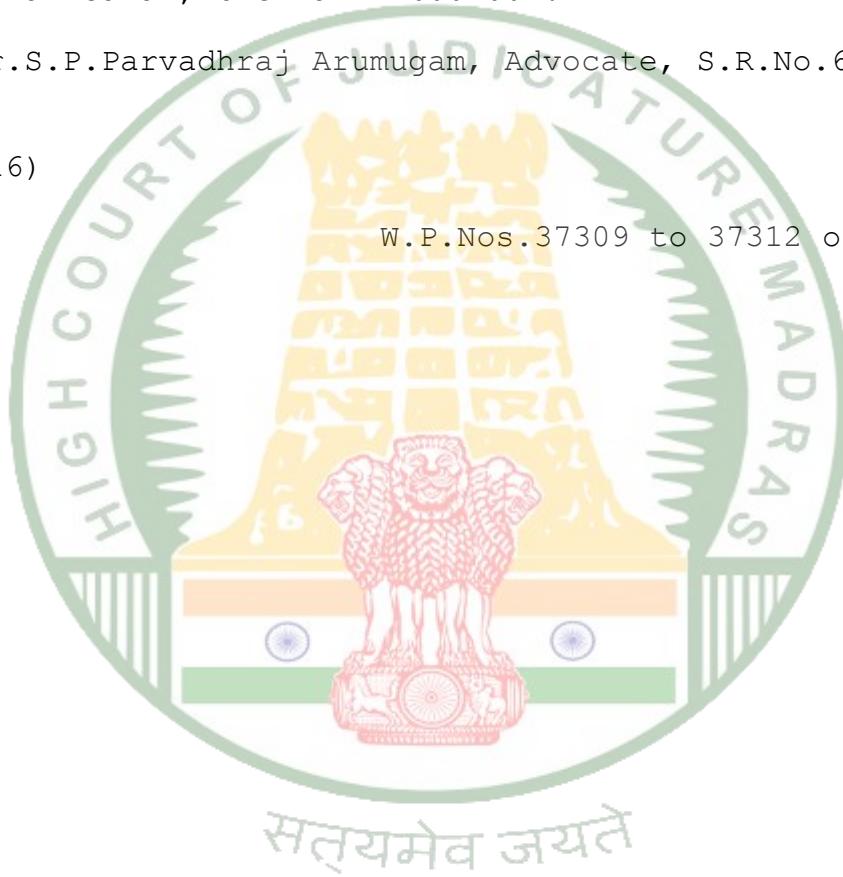
2 The General Manager
Tamilnadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region,
Dharmapuri.

3 The Administrator,
Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 600 002.

+4cc to Mr.S.P.Parvadhraj Arumugam, Advocate, S.R.No.60943

(CO)
CA(/10/2016)

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