

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.37333 to 37340 of 2016

T.Sakthivel

... Petitioner in W.P.No.37333/2016

Vs.

- 1 The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep., by its Managing Director,
Erode Region,
Erode.
- 2 The Administrator
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 600 002.

... Respondents in W.P.No.37333/2016

Prayer in W.P.No.37333 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondents to pay the petitioner Rs.2,34,184/- towards Leave Salary, together with 18% interest per annum, along with interest amount towards the delayed payment of Gratuity amount Rs.3,95,608/- for the period from 30.04.2012 to 30.12.2013 as per Sec.7(3A) of the Payment of Gratuity Act and further directing the 1st and 2nd respondents to pay him

interest amount towards the delayed payment of Pension Commutation Rs.1,56,243/- for the period from 01.05.2012 to 06.11.2013 at the rate of 18% p.a., within a time frame as may be fixed by this Honourable Court.

For Petitioners : Mr.V.Ajoykhose
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, together with interest, within a time frame 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.

R.SUBBIAH,J.

pri

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

25.10.2016

pri

Index: Yes/ No

Internet: Yes/ No

To

- 1 The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep., by its Managing Director,
Erode Region,
Erode.
- 2 The Administrator
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 600 002.

**W.P.Nos.37333 to
37340 of 2016**

25.10.2016