

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37440 to 37445 of 2016

K.Nallusamy	... Petitioner in WP.No.37440/2016
P. Nataraju	... Petitioner in WP.No.37441/2016
K. Mohan	... Petitioner in WP.No.37442/2016
S. Mahalingam	... Petitioner in WP.No.37443/2016
K. Ganesan	... Petitioner in WP.No.37444/2016
S. JayaPrakash	... Petitioner in WP.No.37445/2016

vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation,
12, Ramakrishna Road,
Salem-7.

2.The Administrator,
Tamil Nadu State Transport
Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-2.

... Respondents in
all the W.P.

Prayer in Writ petition No.37440 of 2016 to 37445 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse to the petitioner his legitimately entitlements of terminal benefits viz. Provident Funds, Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, Surrender Leave Salary Earned Leave Balance as on 07.10.2013, 31.03.2016 in WP.No.37441 of 2016, 31.08.2014 in WP.No.37442 of 2016, 30.09.2015 in WP.No.37443 of 2016, 31.07.2016 in WP.No.37444 of 2016, 30.04.2014 in WP.No.37445 of 2016 respectively balance dearness allowance and surrender medical

leave salary, calculating D.A. eligible as per newly implemented scheme, compensation for balance work period of Rs. 14,583/- WP.No.37440 of 2016 Rs.33,333/- in WP.No.37441 of 2016, Rs.48,958/- in WP.No.37443 of 2016 and other terminal benefits payable to him with interest at 18% per annum with effect from 8.10.2013, 1.4.2016 in WP.No.37441 of 2016, 1.9.2014 in WP.No.37442 of 2016, 1.10.2015 in WP.No. 37443 of 2016, 1.08.2016 in WP.No.37444 of 2016, 1.05.2014 in WP.No.37445 of 2016 respectively within the stipulated time to be fixed by this Court.

For Petitioner : Mr.K.Selvakumar,
in all the writ petitions

For Respondents : Mr.P.Paramasivadosh,
in all the writ petitions.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners joined the services of the Transport Corporation and they retired from service long before. The grievance of the petitioners is that though they retired from service long before, till date, they were not paid with the retirement benefits. In this regard, the petitioners submitted representations before the respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petitions have been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned counsel, who has taken notice on behalf of the respondents.

4. 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).

5. Following the said judgment, without going into the merits of the matter, the respondents are directed to disburse the aforementioned retiral benefits to the petitioners 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 1.1.2017.

6. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation,
12, Ramakrishna Road,
Salem-7.
- 2.The Administrator,
Tamil Nadu State Transport
Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-2.

+6 CC to M/s. K. Selvakumar, Advocate Sr.No.61245

सत्यमेव जयते W.P.Nos.37440 to 37445 of 2016

UG (CO)
MD : 2/11/2016

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