

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.10.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.37504 and 37505 of 2016

K.Jaganathan

... Petitioner in
W.P.No.37504/2016

G.Murugesan

... Petitioner in
W.P.No.37505/2016

vs.

The Managing Director,
Tamilnadu State Transport
Corporation,
(Salem) Limited, 12, Ramakrishna Road,
Salem-7.

... Respondent in
both the writ petitions.

Writ petition No.37504 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent herein to pay the entire retirement benefits such as Gratuity, Commutation of Pension, Leave Surrender Pay, Family Welfare Fund, Provident Fund (Employer Share), Provident Fund (Employee Share), Social Security Fund, IRT Share, etc. with interest at 18% per annum from the date of retirement viz. 30-06-2016 till date of payment to the petitioner herein.

Writ petition No.37505 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the respondent herein to pay the entire retirement benefits such as Gratuity, Commutation of Pension, Leave Surrender Pay, Family Welfare Fund, Provident Fund (Employer Share), Provident Fund (Employee Share), Social Security Fund, IRT Share, etc. with interest at 18% per annum from the date of retirement viz. 31-05-2016 till date of payment to the petitioner herein.

For Petitioner : Mr.S.Balaji,
in both the writ petitions

For Respondent : Mr.P.Paramasivadosh,
in both 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 respondent.

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 respondent is 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, both the writ petitions are disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

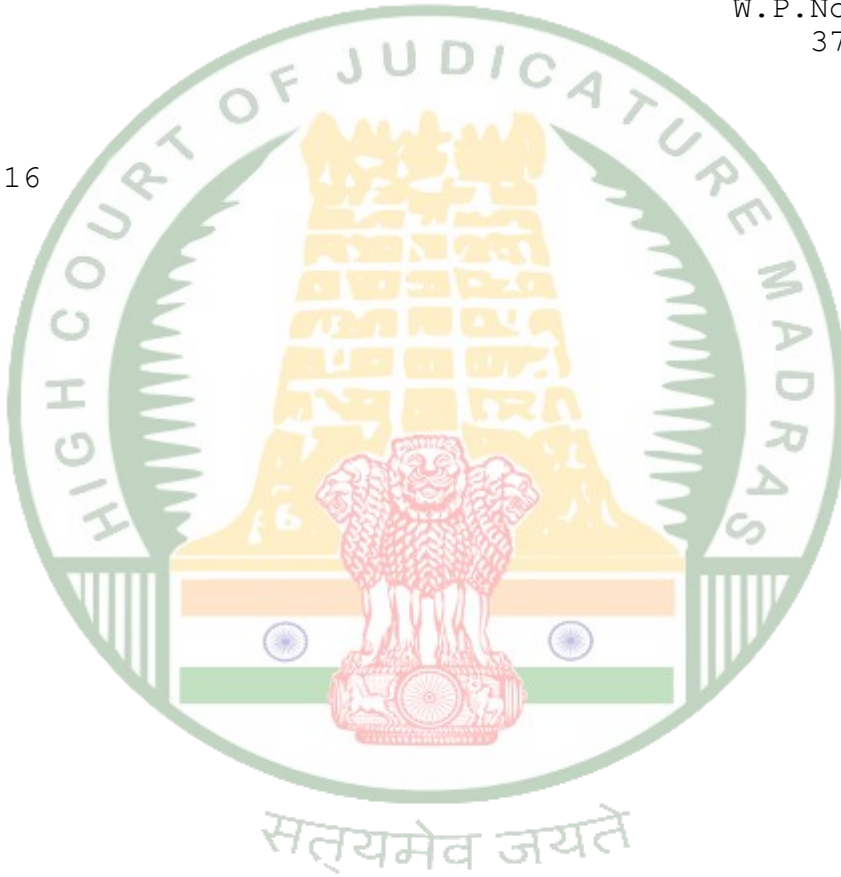
To

The Managing Director,
Tamilnadu State Transport
Corporation,
(Salem) Limited, 12, Ramakrishna Road,
Salem-7.

+2 ccs to Mr.S.Babji Advocate sr 61198 & 61199

W.P.Nos.37504 to
37505 of 2016

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