

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37545 to 37554 of 2016

M.Murugesan Petitioner in WP.37545/16
K.Krishnamoorthy Petitioner in WP.37546/16
R.Theerthamalai Petitioner in WP.37547/16
G.Sundararajan Petitioner in WP.37548/16
R.Rajendran Petitioner in WP.37549/16
E.Kadarsheriff Petitioner in WP.37550/16
C.Govindan Petitioner in WP.37551/16
M.Vajjiravelu Petitioner in WP.37552/16
C.Selvaraju Petitioner in WP.37553/16
C.Madhalingam Petitioner in WP.37554/16

vs.

1 The Government of Tamilnadu
Rep by the Secretary Transport Department
Secretariat St. George Fort Chennai-600
009.

2 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd No.12 Ramakrishnan Road
Salem-636 007

3 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd Dharmapuri Region
Bharathipuram Dharmapuri- 636 705.

... Respondents
in WP.No.37545,37547
37548,37549,37551,
37552/16

4. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvallur House,
Pallavan Salai, Chennai-600 002

...4th Respondent in
WP.37546,37548
37550,37553,37554

Writ petition No.37545 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the respondents to settle the Petitioner's retirement benefits including Gratuity Leave Surrender (EL & ML) IRT amount ERBS pension arrears DA arrears and Settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.03.2015 31.05.2014 in WP.No.37546/16,30.04.2016 in WP.No.37547/16, 30.06.2016 in WP.No.37548, 37549/16, 37551/16, 31.07.2015 in WP.No.37550/16, 31.08.2012 in WP.No.37552/16, 29.02.2016 in WP.No.37553/16, 30.04.2015 in WP.No.37554/16 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Selvam,
in all the writ petitions
For Respondents : Mr.R.Venkatesh, GA,
for R.1
Mr.P.Paramasivadosh,
for R.2 and R.3
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, learned Government Advocate, who has taken notice on behalf of the first respondent and the learned counsel, who has taken notice on behalf of the respondents 2 and 3.

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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1 The Secretary
Government of Tamilnadu
Transport Department
Secretariat St. George Fort Chennai-600 009.
- 2 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd No.12 Ramakrishnan Road
Salem-636 007

3 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd Dharmapuri Region
Bharathipuram Dharmapuri- 636 705.

4. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvallur House,
Pallavan Salai, Chennai-600 002

+1 cc to the Government Pleader High Court Madras
sr 61919
+10 ccs to M/s.M.Selvam Advocate sr 61374

W.P.Nos.37545 to
37554 of 2016

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