

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37651 to 37653 of 2016

A.Dhana Kumaran ... Petitioner in
W.P.No.37651/2016

N.Gandhi ... Petitioner in
W.P.No.37652/2016

A.Devaraj ... Petitioner in
W.P.No.37653/2016

vs.

- 1 The Managing Director
Tamilnadu State Transport Corporation (VPM)
Ltd No.3/137 Salamedu Valuthareddy
Villupuram-605 602
- 2 The General Manager
Tamilnadu State Transport Corporation (VPM)
Ltd No.3/137 Salamedu Valuthareddy
Villupuram-605 602
- 3 The Administrator
The Tamilnadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600 002 ... Respondents in
all the writ petitions

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Writ petition No.37651 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 retirement benefits including gratuity, Leave Salary, Post Retirement Scheme arrears and all other attendant retirement benefits etc. with interest at the rate of 12% for the belated settlement of retirement benefits including the Commuted value of pension gratuity etc. to the petitioner payable from the date of retirement i.e. 31/01/2016 to till the date of actual payment within the time that may be stipulated by this Court on par with similar issue decided in W.P. (MD).No. 19544 of 2014 dated 23/07/2015 in issuing direction to the transport corporations to settle the terminal benefits of its employees in 12 equal monthly installments and to pay 6% interest to the terminal benefits payable to the petitioner.

Writ petition No.37652 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 retirement benefits including gratuity, Leave Salary, Post Retirement Scheme arrears and all other attendant retirement benefits, etc. with interest at the rate of 12% for the belated settlement of retirement benefits including the Commuted value of pension, gratuity etc. to the petitioner payable from the date of retirement i.e. 30/06/2015 to till the date of actual payment within the time that may be stipulated by this Court on par with similar issue decided in W.P. (MD).No. 19544 of 2014 dated 23/07/2015 in issuing direction to the transport corporations to settle the terminal benefits of its employees in 12 equal monthly installments and to pay 6% interest to the terminal benefits payable to the petitioner.

Writ petition No.37653 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 retirement benefits including gratuity Leave Salary Post Retirement Scheme arrears and all other attendant retirement benefits etc. with interest at the rate of 12% for the belated settlement of retirement benefits including the Commuted value of pension gratuity etc. to the petitioner payable from the date of retirement i.e. 31/01/2014 to till the date of actual payment within the time that may be stipulated by this Court on par with similar issue decided in W.P. (MD).No. 19544 of 2014 dated 23/07/2015 in issuing direction to the transport corporations to settle the terminal benefits of its employees in 12 equal monthly installments and to pay 6% interest to the terminal benefits payable to the petitioner.

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

For Respondents : Mr.P.Kannan Kumar
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

sbi

To

- 1 The Managing Director
Tamilnadu State Transport Corporation (VPM)
Ltd No.3/137 Salamedu Valuthareddy
Villupuram-605 602
- 2 The General Manager
Tamilnadu State Transport Corporation (VPM)
Ltd No.3/137 Salamedu Valuthareddy
Villupuram-605 602
- 3 The Administrator
The Tamilnadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600 002

+3cc to Mr. K. Narayanan, Advocate, S.R.No.61322,61321,61301
(9/11/2016)

mv (CO)
md (8/11/2016)

W.P.Nos.37651 to 37653 of 2016

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