

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.38125 to 38129 of 2016

P.Natrayan	... Petitioner in W.P.No.38125/2016
J.Bakthavatchalam	... Petitioner in W.P.No.38126/2016
B.E.Basha	... Petitioner in W.P.No.38127/2016
R.Babu	... Petitioner in W.P.No.38128/2016
K.Subramanian	... Petitioner in W.P.No.38129/2016

Vs.

The General Manager
Tamil Nadu State Transport
Corporation Limited (Coimbatore),
Erode Regional Office,
Chennimalai Road,
Erode. ... Respondent in W.P.No.38125/2016

The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
12, Ramakrishna Road,
Salem - 636 007. ... Respondent in W.P.Nos.38126 to
38129/2016

Prayer in W.P.No.38125 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the surrender Leave salary i.e. Earned leave balance as on 31.1.2013 with interest at 12% per annum with effect from 01.02.2013 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.38126 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the payments relating to Provident Fund, Gratuity, surrender Leave salary i.e. Earned leave balance for 2008-2010, surrender medical leave salary upto 1.9.1998, which was already surrendered, Earned Leave encashment, Social Welfare Fund, arrears of contracted amount and IRTT amount by calculating D.A.eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.03.2016 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.38127 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the payments relating to Gratuity, surrender Leave salary i.e. Earned leave balance for 2008-2010, Leave encashment, surrender medical leave salary upto 1.9.1998, which was already surrendered by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.05.2013 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.38128 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the payments relating to Gratuity, surrender Leave salary i.e. Earned leave balance as on 31.10.2012, Earned Leave encashment, surrender medical leave salary upto 1.9.1998, which was already surrendered by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.11.2012 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.38129 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the payments relating to Gratuity, Provident fund and Family Welfare fund, surrender Leave salary i.e. Earned leave balance for 2008-2010, Leave encashment, IRT T amount, surrender medical leave salary upto 1.9.1998, which was already surrendered by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Hon'ble Court.

For Petitioners : Mr.I.C.Vasudevan
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, by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time 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 01.02.2017.

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

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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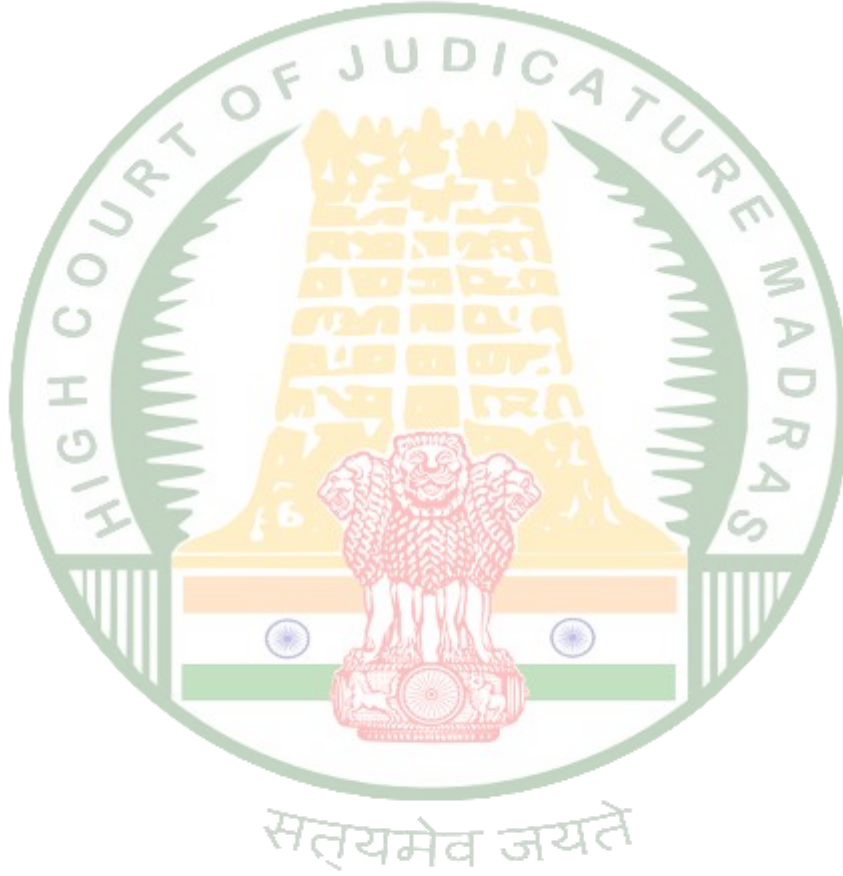
1.The General Manager
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2.The Managing Director,
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12, Ramakrishna Road,
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+5 cc's to M/s.I.C.Vasudevan,advocate,sr.62628 to 632.

sai(co)
krd 7/11

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