

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.11.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.38326 to 38336 of 2016

P.Sundaram	... Petitioner in W.P.No.38326 of 2016
K.Satheesh Kumar	... Petitioner in W.P.No.38327 of 2016
R.Jayaraman	... Petitioner in W.P.No.38328 of 2016
K.Kandasamy	... Petitioner in W.P.No.38329 of 2016
K.Ramalingam	... Petitioner in W.P.No.38330 of 2016
M.Ramamoorthy	... Petitioner in W.P.No.38331 of 2016
N.Venkatesan	... Petitioner in W.P.No.38332 of 2016
M.Selvaraj	... Petitioner in W.P.No.38333 of 2016
C.Narayanan	... Petitioner in W.P.No.38334 of 2016
M.Ramalingam	... Petitioner in W.P.No.38335 of 2016
P.Balaraman	... Petitioner in W.P.No.38336 of 2016

vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd,
12, Ramakrishna Salai, Salem 636 007....1st Respondent in
all WP's
2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd,
Dharmapuri Region,
Dharmapuri-5.2nd Respondent in WP.Nos.
38326, 38327, 38329,
38330, 38331, and
38333, 38334, 38335 &
38336/16

2. The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem Region Salem

3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

...3rd Respondent in all
WP's

Prayer:-Writ Petitions Nos.38326 to 38328,38331,38332 and 38335/16 have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the payments relating to Gratuity, Leave Encashment (Earned and Old Medical Leave), Yearly Leave Surrender amount while on duty, ERBS amount, D.A. arrears, IRT Amount, Labour Welfare Fund and all other attendant benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowance also, with interest at 12% p.a. w.e.f. 01.07.2015 01.10.2011, 01.09.2014 01.05.2013, 01.08.2013, 01.02.2014, 01.04.2015, 01.06.2014 respectively within a time that may be stipulated by this Court.

WP.Nos.38329, and 38336/16:Petitions praying to issue a Writ of mandamus or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus Directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned & Old Medical Leave) Yearly Leave Surrender amount while on duty ERBS amount IRT amount D.A. arrears Grade pay arrear amount for Checking Inspector Grade pay arrear amount as per 2010 wage settlement (2013) 5.5 Settlement arrear 5.5 pension arrear and all other attendant benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.02.2014 within the stipulated time.

WP.Nos.38330, 38333 and 38334/2016:Petitions praying to issue a Writ of mandamus or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus Directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned & Old Medical Leave) Yearly Leave Surrender amount while on duty ERBS amount D.A arrears Grade pay arrear amount as per 2010 wage settlement (2013) 5.5 settlement arrear 5.5 Pension arrear and all other attendant benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.04.2015,01.02.2014,01.04.2015 respectively within the stipulated time as may be fixed by this Honourable Court

For Petitioner : Mr.J.Pradeep
in all the writ petitions
For Respondents : Mr.R.K.Gandhi
in all the writ petitions.

COMMON ORDER

By consent, the 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 01.02.2017.

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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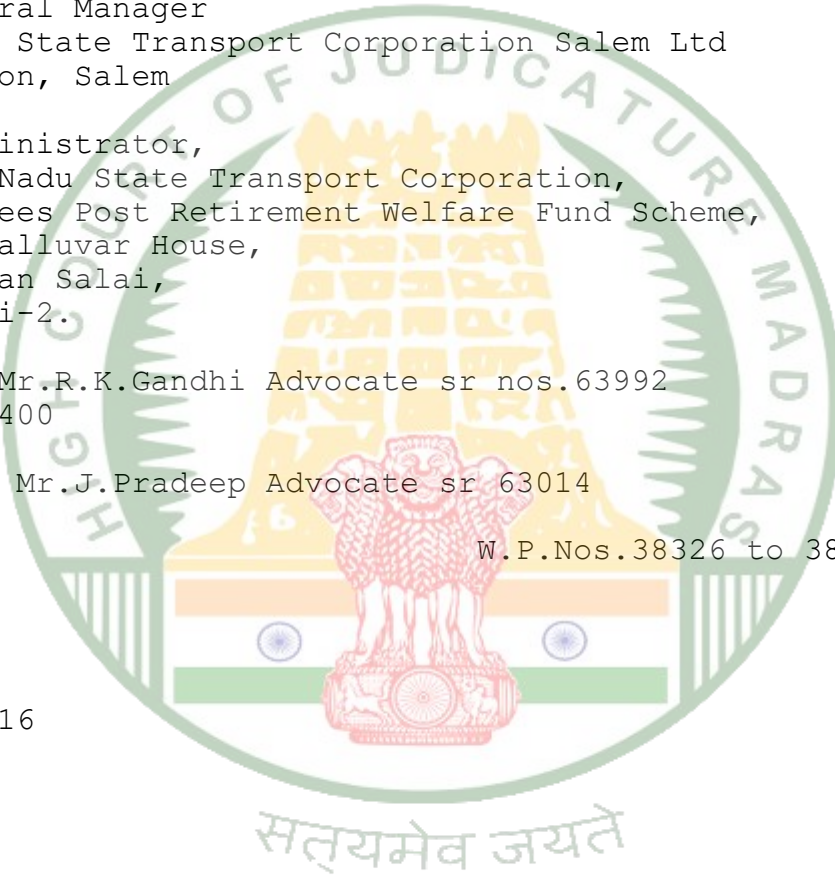
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Dharmapuri-5.
3. The General Manager
Tamil Nadu State Transport Corporation Salem Ltd
Salem Region, Salem
4. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

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W.P.Nos.38326 to 38336 of 2016

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