IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38376 to 38379 of 2016

R.Murugan ...Petitioner in W.P.No.38376 of 2016
R.Boopalan ...Petitioner in W.P.No.38377 of 2016
N.Mani ...Petitioner in W.P.No.38378 of 2016
G.Rajendiran ...Petitioner in W.P.No.38379 of 2016

.vs.

1. The Managing Director,
Tamil Nadu Transport Corporation (Salem) Ltd,
12, Ramakrishna Salai, Salem 636 007.

2. The General Manager,
Tamil Nadu Transport Corporation (Salem) Ltd,
Dharmapuri Region,
Bharathipuram, Dharmapuri-5.

3. The Administrator,
Tamil Nadu State Transport Corporation,
EPF Trust, Pallavan Salai,
Chennai-2. ...Respondents in all W.Ps.

Writ Petition No.38376 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave & Old Medical Leave), E.R.B.S. Pension with arrears, Pension Commutation, Leave Surrender in the year 2009 to 2011 by calculating D.A. eligible as per newly implemented with interest at 12% per annum w.e.f. 01.07.2015 within a stipulated time fixed by this Court.

Writ Petition No.38377 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave & Old Medical Leave), Leave Surrender in the year 2013 Wages Settlement Benefits by calculating D.A. eligible as per newly implemented with interest at 12% per annum w.e.f. 01.03.2014 within a stipulated time fixed by this Court.

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Writ Petition No.38378 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Labour Welfare Fund, Provident Fund, Leave Encashment (Earned Leave & Old Medical Leave), Leave Surrender in the year 2009 to 2011, D.A.arrears, Pension Commutation and E.R.B.S. Pension and Pension Arrears by calculating D.A. eligible as per newly implemented with interest at 12% per annum w.e.f. 01.07.2016 within a stipulated time fixed by this Court.

Writ Petition No.38379 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Labour Welfare Fund, Provident Fund, Leave Encashment (Earned Leave & Old Medical Leave), Leave Surrender in the year 2009 to 2011 and D.A. Arrears, Pension Commutation and E.R.B.S. Pension and Pension Arrears benefits, by calculating D.A. eligible as per newly implemented with interest at 12% per annum w.e.f. 01.02.2016 within a stipulated time fixed by this Court.

For Petitioner : Mr.G.Sakthivel,
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

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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.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

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To

1. The Managing Director,
Tamil Nadu Transport Corporation (Salem) Ltd,
12, Ramakrishna Salai, Salem 636 007.

2. The General Manager,
Tamil Nadu Transport Corporation (Salem) Ltd,
Dharmapuri Region,
Bharathipuram, Dharmapuri-5.

3. The Administrator,
Tamil Nadu State Transport Corporation,
EPF Trust, Pallavan Salai,
Chennai-2.

4 ccs to M/s.G. Sakthivel, Advocate, Sr. 63012

W.P.Nos.38376 to 38379 of 2016

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