

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38421 and 38422 of 2016

V.Pandiyan ... Petitioner in
W.P.No.38421/2016

K.Alakesan ... Petitioner in
W.P.No.38422/2016

vs.

1. The Managing Director,
Tamil Nadu Transport Corporation (VPM) Ltd,
No.3/137, Salamedu,
Valuthareddy, Villupuram-605 602.
2. The General Manager,
Tamil Nadu Transport Corporation (VPM) Ltd,
Thiruvannamalai Region,
Thiruvannamalai-606 601. ... Respondents in
both the writ petitions

Writ Petition No.38421 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 Encashment (Earned Leave & Old Medical Leave), IRT Amount, Welfare Fund, Settlement Arrears and Pension Arrears, Last Month 10 days Salary, D.A. Effect Arrears and all other 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 allowances also, with interest at 12% p.a. w.e.f. 01.06.2015 within a time stipulated by this Court.

Writ Petition No.38422 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 Encashment (Earned Leave & Old Medical Leave), 2013 Settlement Effect in Basic Pay and Pension, Settlement Arrears and Pension Arrears, Last Month 10 days Salary, D.A. Effect Arrears and all other 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 allowances also, with interest at 12% p.a. w.e.f. 01.02.2015 within a time stipulated by this Court.

For Petitioner : Mr.G.Sakthivel
in both the writ petitions

For Respondents : Mr.S.Sairaman

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 respondent.

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, both the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu Transport Corporation (VPM) Ltd,
No.3/137, Salamedu,
Valuthareddy, Villupuram-605 602.
2. The General Manager,
Tamil Nadu Transport Corporation (VPM) Ltd,
Thiruvannamalai Region,
Thiruvannamalai-606 601.

+2cc to Mr.G. Sakthivel, Advocate, S.R.No.63013
+1cc to Mr.S. Sairaman, Advocate, S.R.No.63426

ev(CO)
md(24/11/2016)

W.P.Nos.38421 & 38422/2016

सत्यमेव जयते

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