

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38474 to 38476 of 2016

J.N.Varadarajan ...Petitioner in W.P.No.38474 of 2016
R.Santhi ...Petitioner in W.P.No.38475 of 2016
D.Chinnaponnu ...Petitioner in W.P.No.38476 of 2016

.vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem)
Division, Salem, Salem District. ...Respondents in all W.Ps.

Writ Petition No.38474 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the petitioner's terminal benefits such as Gratuity and Earned Leave Surrender along with interest in lieu of his retirement dated 31.08.2013 as Trip Recorded (TR 0015) from the office of the respondent Corporation, Salem.

Writ Petition No.38475 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the terminal benefits of the petitioner's late husband such as, Pension arrears of about 25 months, Gratuity, Surrender of Earned Leave as per last pay bills for the period of 233.5 days in the respondent Corporation.

Writ Petition No.38476 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the petitioner's terminal benefits such as Gratuity and Earned Leave with interest till the date of final payment in lieu of her retirement dated 30.06.2015 as Canteen Helper (MCR 050) from the Office of the respondent, Erumapalayam Branch I.

For Petitioner : Mr.G.Ilantharaiyan
 in all the writ petitions

For Respondent : Mr.R.K.Gandhi
 in all the writ petitions.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners in W.P.Nos.38474 and 38476 of 2016 joined the services of the Transport Corporation and they retired from service long before and the husband of the petitioner in W.P.No.38475 of 2016 joined the services of the Transport Corporation and he expired on 04.05.2012 while in service. The grievance of the petitioners is that though the petitioners in W.P.Nos.38474 and 38476 of 2016 retired from service long before and the husband of the petitioner in W.P.No.38475 of 2016 died while in service, 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 respondent is 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/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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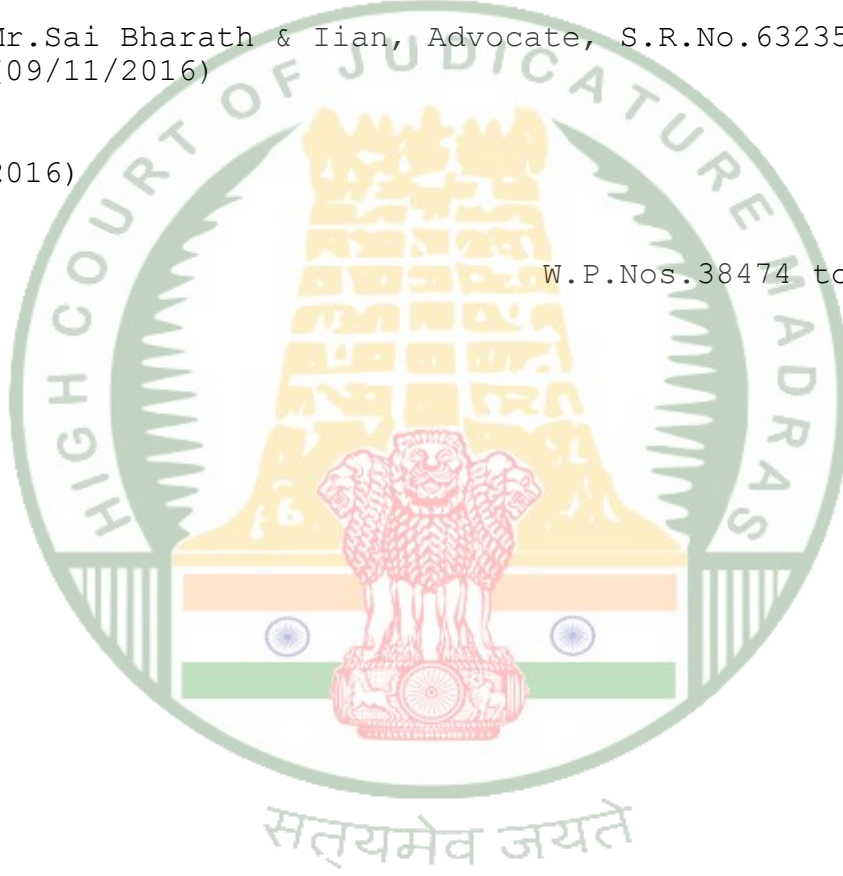
To

The Managing Director,
Tamil Nadu State Transport Corporation (Salem)
Division, Salem, Salem District.

+3ccs to Mr.Sai Bharath & Iian, Advocate, S.R.No.63235, 63234
and 63233(09/11/2016)

PK(CO)
EU(07/11/2016)

W.P.Nos.38474 to 38476/2016



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