

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.38479 and 38480 of 2016

P.Kuppusamy ... Petitioner in W.P.38479/2016

E.Godhandam ... Petitioner in W.P.38480/2016

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,
No.3/137, Salamedu,
Valuthareddy, Villupuram-605 602.

3. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

... Respondents in both
the Writ Petitions

Writ Petition No.38479 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 Salary, Post Retirement Scheme Arrears and all other attendant retirement benefits etc. with interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension, gratuity etc., to the petitioner payable from the date of retirement i.e. 30/04/2016 till date of actual payment within the time that may be stipulated by this Court on par with similar issued decided in W.P. (MD) No.19544 of 2014 dated 23.07.2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly instalments and to pay 6% interest to the terminal benefits payable to the petitioner.

Writ Petition No.38480 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 Salary, Post Retirement Scheme Arrears and all other attendant retirement benefits etc. with interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension, gratuity etc., to the petitioner payable from the date of retirement i.e. 31.10.2012 till date of actual payment within the time that may be stipulated by this Court on par with similar issued decided in W.P. (MD) No.19544 of 2014 dated 23.07.2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly instalments and to pay 6% interest to the terminal benefits payable to the petitioner.

For Petitioner : Mr.K.Narayanan
in both the Writ Petitions

For Respondents : Mr.P.Kannan Kumar

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(CS IV)

//True Copy//

Sub Assistant Registrar

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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,
No.3/137, Salamedu,
Valuthareddy, Villupuram-605 602.
3. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

+2cc's to Mr.K.Narayanan, Advocate, S.R.Nos.62762 & 62763

+2cc's to Mr.P.Kannan Kumar, Advocate, S.R.No.63865

W.P.Nos.38479 & 38480 of 2016

SK(CO)
CA(16/11/2016)