

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2016
CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38524 to 38530 of 2016

R.Balaraman	... Petitioner in WP.38524/16
V.Lakshmanan	... Petitioner in WP.38525/16
P.Mani	... Petitioner in WP.38526/16
K.Jaya	... Petitioner in WP.38527/16
G.Balakrishnan	... Petitioner in WP.38528/16
P.Viswanathan	... Petitioner in WP.38529/16
R.Rajendran	... Petitioner in WP.38530/16

vs.

- 1 Tamilnadu State Transport Corporation(Villupuram) Ltd Rep by its Managing Director 3/137 Salamedu Villupuram-605 602
 - 2 The General Manager Tamilnadu State Transport Corporation (Villupuram)Ltd Villupuram Region 3/137 Salamedu Villupuram-605 602
 - 3 The Administrator Tamilnadu State Transport Corporations Employees Pension Fund Trust Thiruvalluvar Illam Pallavan Salai Chennai-600 002
...Respondent in WP.38524, 38525/16
-
- 1 Tamilnadu State Transport Corporation(Villupuram) Ltd Rep by its Managing Director 3/37 Salamedu Vazhuthareddy Post Villupuram-605 602
 - 2 The General Manager Tamilnadu State Transport Corporation (Villupuram)Ltd Villupuram Region Vazhuthareddy Villupuram
 - 3 The Administrator Tamilnadu State Transport Corporations Employees Pension Fund Trust Thiruvalluvar Illam Pallavan Salai Chennai-600 002

..Respondent in WP.38526 to 38530/16

WP No.38524 of 2016: Writ petition filed u/a.226 of the Constitution of India, to issue a writ of mandamus to directing the respondents to pay the petitioner a sum of Rs. 7,85,360/- towards gratuity, a sum of Rs.3,24,870/- towards earned leave salary for 238 days, a sum of Rs.14,412/- towards arrears of difference in D.A. for 12 months and a sum of Rs.7,098/- towards wage revision arrears for 7 months, a sum of Rs.13,650/- towards medical leave for 10 days which stood petitioner credit before August 1998 and to revised his pension and commutation based on the correct basic pay payable to him as per the settlement dt. 13.04.2015, as on the date of his retirement and to pay petitioner the difference amounts and revised monthly pension and to pay the petitioner all other terminal and service benefits, together with interest at the rate of 12% pa for all the above benefits.

WP No.38525 of 2016: Writ petition filed u/a.226 of the Constitution of India, to issue a writ of mandamus to directing the respondents to pay the petitioner a sum of Rs. 6,55,390/- towards gratuity, a sum of Rs.1,30,380/- towards earned leave, a sum of Rs.1,952/- towards arrears of difference in D.A. and a sum of Rs.2,72,325/- towards commuted value pension, monthly pension payable under the post Retirement Benefit Scheme and all other terminal and service benefits, together with interest at the rate of 12% per annum for all the above benefits, award costs

WP No.38526 of 2016: Writ petition filed u/a.226 of the Constitution of India, to issue a writ of mandamus to directing the respondents to pay the petitioner a sum of Rs. 6,44,490/- towards gratuity, a sum of Rs.3,690/- towards arrears of difference in D.A. and a sum of Rs.2,323/-, a sum of Rs.2,59,266/- towards commuted value of pension and to pay him all other terminal and service benefits, together with interest at the rate of 12% per annum for all the above benefits, award costs.

WP No.38527 of 2016: Writ petition filed u/a.226 of the Constitution of India, to issue a writ of mandamus to directing the respondents to pay the petitioner a sum of Rs. 4,91,750/- towards gratuity, a sum of Rs.1,75,740/- towards earned leave salary for 174 days, a sum of Rs.4,932/- towards arrears of difference in D.A. for 12 months, a sum of Rs.7,660/- towards arrears of salary payable to petitioner as per settlement dt. 13.04.2015, to revise her monthly pension and commuted value of pension and to pay the petitioner the difference with arrears and to her the revised pension every month and all other terminal and service benefits, together with interest at the rate of 12% per annum for all the above benefits, award costs

WP No.38528 of 2016: Writ petition filed u/a.226 of the Constitution of India, to issue a writ of mandamus to directing the respondents to pay the petitioner a sum of Rs. 8,89,724/- towards gratuity, a sum of Rs.1,20,923/- towards earned leave salary for 76 days, a sum of Rs.2,462/- towards arrears of difference in D.A. a sum of Rs.3,47,664/- towards Commuted value of pension and all other terminal and service benefits, together with interest at the rate of 12% per annum for all the above benefits, award costs.

WP No.38529 of 2016: Writ petition filed u/a.226 of the Constitution of India, to issue a writ of mandamus to directing the respondents to pay the petitioner a sum of Rs. 5,92,477/- towards gratuity, a sum of Rs.26,483/- for 25 days towards earned leave arrears of difference in D.A. and a sum of Rs.5,410/-, a sum of Rs.8,624/- towards arrears of wage revision for 11 months as per the settlement dt. 13.04.2015 and to revised his pension and commuted value of pension, based on the increased and correct salary payable to him as per the settlement dt. 13.04.2015, as on the date of his retirement and to pay him difference amounts and the revised pension every month, and to pay the petitioner all other terminal and service benefits, together with interest at the rate of 12% per annum for all the above benefits, award costs.

WP No.38530 of 2016: Writ petition filed u/a.226 of the Constitution of India, to issue a writ of mandamus to directing the respondents to pay the petitioner a sum of Rs. 5,04,800/- towards gratuity, a sum of Rs.8,221/- for 8 days towards earned leave, arrears of difference in D.A. and a sum of Rs.5,431/-, for 12 months, a sum of Rs.7,074/- towards wage revision arrears for 9 months and to revised his monthly pension and commuted value of pension based on the correct salary payable to him as per the settlement dt. 13.04.2015, as on the date of his retirement and to pay him the difference amounts and revised pension and to pay the petitioner the monthly pension payable to him under the post Retirement Benefit Scheme from the date of his retirement, after adjusting the amounts already paid to the petitioner and to pay him all other terminal and service benefits, together with interest at the rate of 12% p.a. for the above benefits award costs.

For Petitioner : Mr.R.Krishnaswamy,
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 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 1.2.2017.

6. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-

Asst.Registrar (CO)

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Sub Asst. Registrar

To

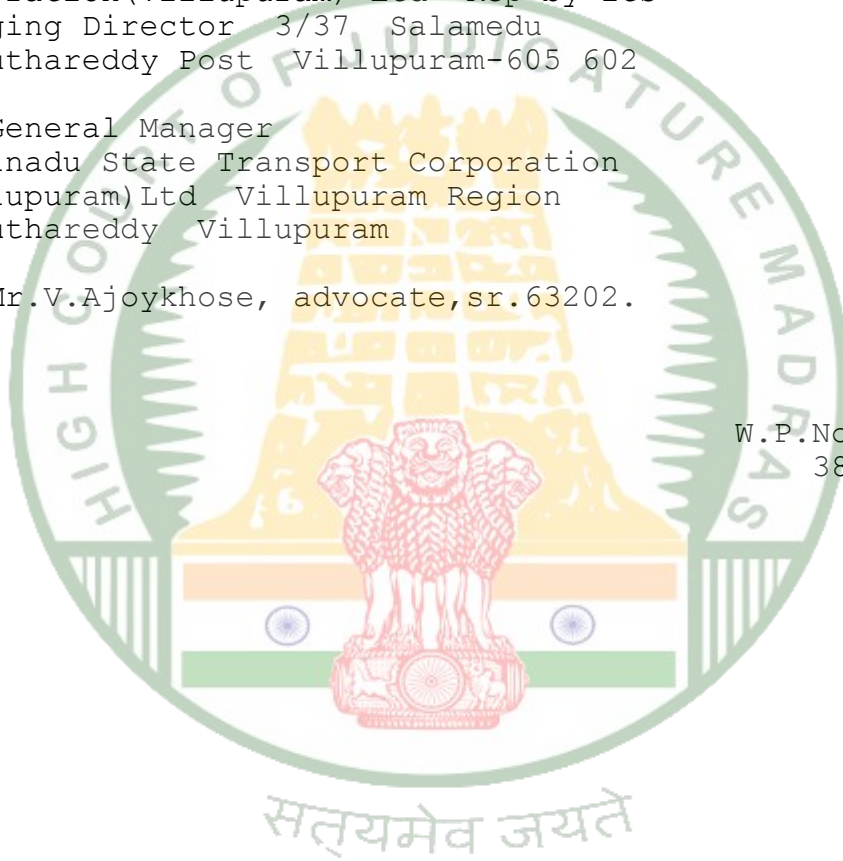
- 1 The Managing Director
Tamilnadu State Transport
Corporation(Villupuram) Ltd
3/137 Salamedu Villupuram-605 602

- 2 The General Manager
Tamilnadu State Transport Corporation
(Villupuram)Ltd Villupuram Region 3/137
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- 3 The Administrator
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- 4 Tamilnadu State Transport
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Vazhuthareddy Post Villupuram-605 602
- 5 The General Manager
Tamilnadu State Transport Corporation
(Villupuram)Ltd Villupuram Region
Vazhuthareddy Villupuram

+1 cc to Mr.V.Ajoykhose, advocate,sr.63202.

ss(co)
krd 23/11

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38530 of 2016



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