

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38546 to 38559 of 2016

N.Shanmugam	..Petitioner in W.P.No.38546/2016
V. Murugasamy	..Petitioner in W.P.No.38547/2016
K. Balasubramanian	..Petitioner in W.P.No.38548/2016
N. Ranganathan	..Petitioner in W.P.No.38549/2016
N. Nanjappan	..Petitioner in W.P.No.38550/2016
R. Rajagopal	..Petitioner in W.P.No.38551/2016
Antony Sebastian Fernandes	..Petitioner in W.P.No.38552/2016
S. Gopinathan	..Petitioner in W.P.No.38553/2016
A.S. Jayadurai	..Petitioner in W.P.No.38554/2016
R. Amaladoss	..Petitioner in W.P.No.38555/2016
A. Francisantony	..Petitioner in W.P.No.38556/2016
N. Mani	..Petitioner in W.P.No.38557/2016
S. Rajagopal	..Petitioner in W.P.No.38558/2016
P. Manickam	..Petitioner in W.P.No.38559/2016

vs.

Tamil Nadu State Transport Corporation
Ltd.,

37, Mettupalayam Road,
Coimbatore-43, rep. by its
Maaging Director.

..Respondent in WPs.38546 to
38556/16

The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
12, Ramakrishna Road, Salem.

..in WPs.38557 to 38559/16

Writ petitions filed under Article 226 of the
Constitution of India, praying for a Writ of mandamus,

W.P.No.38546 of 2016: Directing the respondent to pay the
petitioner all his retirement benefits including Provident Fund,
Gratuity, Leave Salary Amount and all other benefits with

interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38547 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38548 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court

W.P.NO.38549 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38550 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Gratuity and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38551 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38552 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38553 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38554 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38555 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the

date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.NO.38556 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court

W.P.NO.38557 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court

W.P.NO.38558 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court

W.P.NO.38559 of 2016: Directing the respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court

For Petitioner : Mr.A.Rajendiran
in all the writ petitions

For Respondent : Mr.S.Sairaman
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 respondent, 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 1.2.2017. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sbi

To

1 The Managing Director
Tamil Nadu State Transport Corporation
Ltd.,
37, Mettupalayam Road,
Coimbatore-43

2. The Managing Director, Tamil Nadu State
Transport Corporation Ltd., 12,
Ramakrishna Road, Salem.

+1cc to Mr.A. Rajendiran, Advocate, S.R.No.63203

+1cc to Mr.S. Sairaman, Advocate, S.R.No.64010

RV (CO)

EU (09/12/2016)

W.P.Nos.38546 to
38559 of 2016



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