

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38578 to 38585 of 2016

T.Anbu	... Petitioner in WP.38578/16
P.Jayavelu	... Petitioner in WP.38579/16
S.Sekar	... Petitioner in WP.38580/16
S.Tamilarasan	... Petitioner in WP.38581/16
N.Duzhyandan	... Petitioner in WP.38582/16
P.Guruswami	... Petitioner in WP.38583/16
R.Karunanithi	... Petitioner in WP.38584/16
S.Sethu	... Petitioner in WP.38585/16

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vazhuthareddy Villupuram
605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vazhuthareddy Villupuram
605 602.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600 002. ... Respondents in all the WPs

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse the payments relating to Gratuity and Pension Commutation as per the latest implemented scheme with interest at the rate of 12% Per Annum with effect from 31.03.2016 within the stipulated time as may be fixed by this Honourable Court in WP.38578/16.

WP.No.38579/16: Directing the Respondents to disburse the payments relating to Gratuity Earned Leave Salary by calculating D.A. eligible as per newly implemented with interest at 12% Per Annum with effect from 30.04.2015 within the stipulated time as may be fixed by this Honourable Court.

WP.No.38580/16: Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation amount Leave Salary for 203 days D.A. as per the latest implementation scheme with interest at the rate of 12% Per Annum with effect from 31.10.2015 within the stipulated time as may be fixed by this Honourable Court.

WP.No.38581/16: Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation D.A. as per the latest implemented scheme with interest at the rate of 12% Per Annum with effect from 31.05.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.38582/16: Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Leave Salary by calculating D.A. eligible as per newly implemented with interest at 12% Per Annum with effect from 31.05.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.38583/16: Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation benefit D.A. as per the latest implemented scheme with interest at the rate of 12% Per Annum with effect from 30.06.2015 within the stipulated time as may be fixed by this Honourable Court.

WP.No.38584/16: Directing the Respondents to disburse the payments relating to Gratuity by calculating D.A. eligible as per newly implemented scheme with interest at 12% Per Annum with effect from 31.03.2015 within the stipulated time as may be fixed by this Honourable Court.

WP.No.38585/16: Directing the Respondents to disburse the payments relating to Gratuity LIC Insurance amount which was deducted from petitioners PF from the year of 2005 to till date of petitioners retirement as per the latest implemented scheme with interest at the rate of 12% Per Annum with effect from 30.04.2013 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : M/s.K.Anna Associates,
in all the writ petitions

For Respondents : 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 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 (CS IV)

/true copy/

Sub Asst. Registrar

To

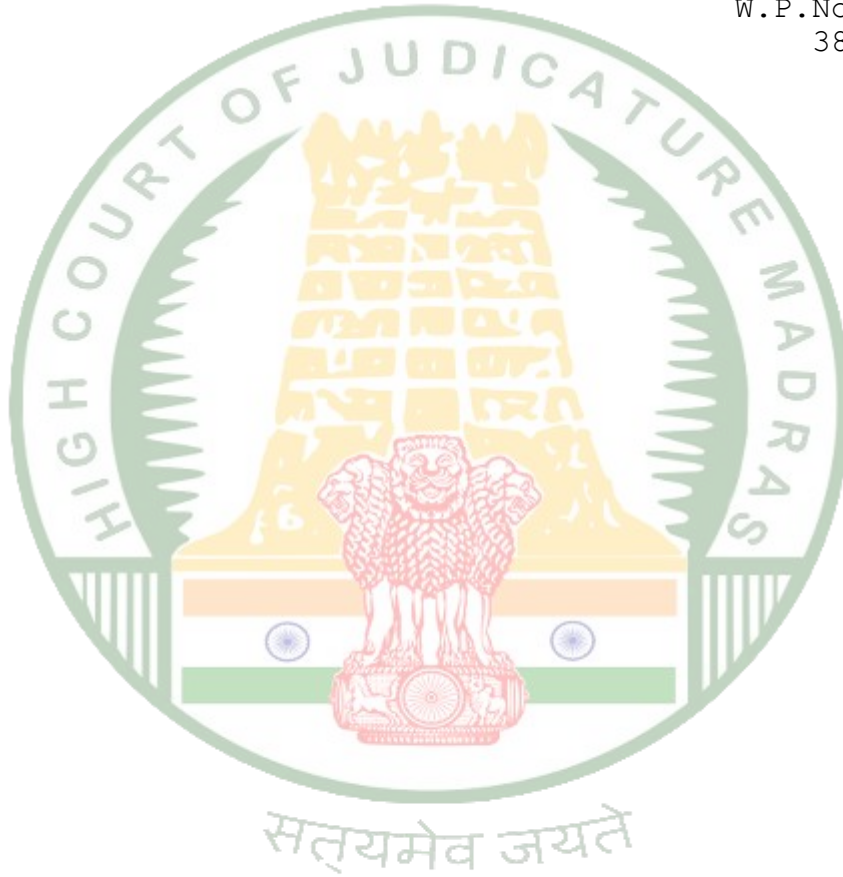
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Chennai 600 002.

+8 cc's to M/s.Kanna Associates,sr.63218

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