

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38756 to 38762 of 2016

V.Panneer Selvam ... Petitioner in W.P.No.38756 of 2016
M.Rajan ... Petitioner in W.P.No.38757 of 2016
N.Arumugam ... Petitioner in W.P.No.38758 of 2016
V.Ganesan ... Petitioner in W.P.No.38759 of 2016
A.Thirusangu ... Petitioner in W.P.No.38760 of 2016
K.Pakkiri ... Petitioner in W.P.No.38761 of 2016
R.Periyaswamy ... Petitioner in W.P.No.38762 of 2016

vs.

1. The Managing Director,
Tamil Nadu Transport Corporation (VPM) Ltd,
Valuthareddy,
Villupuram-605 602. ...1st Respondent in 38756, 38757,
38758, to 38762/16
2. The General Manager,
Tamil Nadu Transport Corporation (VPM) Ltd,
Vazhuthareddy,
Vellore Region,
Vellore. ...2nd Respondent in W.P.38756, 38762/16
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement
Welfare fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2. ...3rd Respondents in W.P.No.38756/16,
38757/16, 38761/16
4. The General Manager,
Tamil Nadu Transport Corporation (Villupuram) Ltd,
Vazhuthareddy,
Villupuram-605 602. ...2nd Respondent in W.P.38757,
38758, 38759, 38760, 38761/16

Prayer:-Writ Petition No.38746 of 2016 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, Pension Commutation, Leave Surrender (Earned Leave and Old Medical Leave), D.A.arrears and all other retirement benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum w.e.f. 01.06.2014 within the time stipulated by this Court.

Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave 238 days & Old Medical Leave) Surrender Leave DA Arrears and all other benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.08.2015, 1.6.16 within the stipulated time. (W.P.No.38757/16, 38759/16)

Writ of Mandamus to directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave & Old Medical Leave) ERBS Pension 2013 Settlement Effect & Arrears DA arrears and all other benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.07.2016, 01.10.13, 01.01.15 within the stipulated time. (W.P 38758/16, 38760/16, 38761/16)

Writ of Mandamus to directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave & Old Medical Leave) Pension Arrears 2013 Settlement Effect & Arrears 2013 Settlement Effect (in Basic pay Grade Pay Pension Dearness Allowance & Other Allowance and all other benefits and arrears by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.10.2013 within the stipulated time. (W.P No.38762/16)

For Petitioner :Mr.G.Sakthivel
in all the writ petitions
For Respondents :Mr.P.Kannan Kumar
in all the writ petitions.

COMMON ORDER

By consent, the 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 01.02.2017.

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

Sd/-

Assistant Registrar(J)

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Sub Assistant Registrar

To

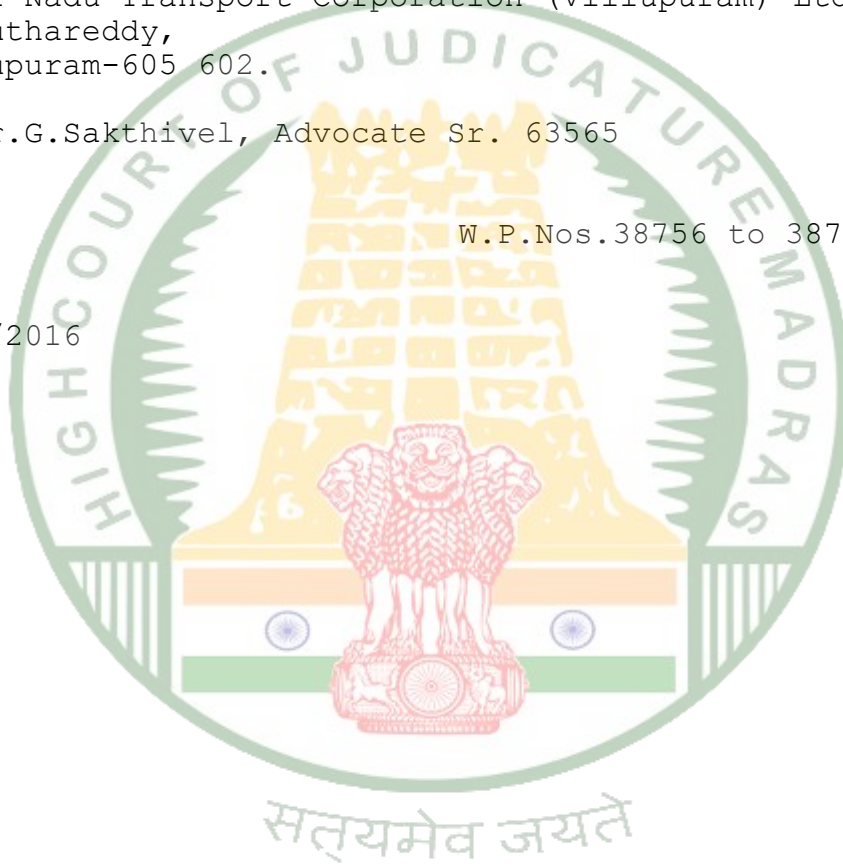
1. The Managing Director,
Tamil Nadu Transport Corporation (VPM) Ltd,
Valuthareddy, Villupuram-605 602.

2. The General Manager,
Tamil Nadu Transport Corporation (VPM) Ltd,
Vellore Region, Vellore.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.
4. The General Manager,
Tamil Nadu Transport Corporation (Villupuram) Ltd,
Vazhuthareddy,
Villupuram-605 602.

+7cc to Mr.G.Sakthivel, Advocate Sr. 63565

W.P.Nos.38756 to 38762 of 2016

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