

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.11.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.38764 to 38771 of 2016

V.Nagarajan	... Petitioner in WP.38764/2016
A.Mallaiyan	... Petitioner in WP.38765/2016
T.Gunasekaran	... Petitioner in WP.38766/2016
R.Palaniammal	... Petitioner in WP.38767/2016
C.P.Subramanian	... Petitioner in WP.38768/2016
N.Panchanathan	... Petitioner in WP.38769/2016
M.Subramani	... Petitioner in WP.38770/2016
R.Natrayan	... Petitioner in WP.38771/2016

vs.

1.The General Manager,
Tamil Nadu Transport Corporation (Coimbatore) Ltd,
Erode Regional Office,
Chennimalai Road,
Erode.

...Sole Respondent in WP.Nos.38764
& 38765/16, 38767, 38769 to
38771/16
...1st Respondent in WP.38768/16

2.The Managing Director
Tamil Nadu State Transport
Corporation Limited (Coimbatore)
37, Mettupalayam Road,
Corporate office
Coimbatore-47

...Sole Respondent in
WP.No.38766/16

3.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare
Fund Scheme,
Tiruvallur House, Pallavan Salai,
Chennai-2

...2nd Respondent in WP.38768/16

Prayer:-Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to disburse the payments relating to Surrender Leave Salary i.e. Earned Leave balance as on 30.04.2014, Earned Leave Balance Amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme, with interest

at 12% per annum w.e.f. 01.05.2014 within the time stipulated by this Court.

WP.No.38765 of 2016:Directing the Respondent to disburse the payments relating to surrender Leave Salary i.e Earned leave balance as on 31.07.2014 Earned Leave balance amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.08.2014 within stipulated time as may be fixed by this Honourable Court.

WP.No.38766 of 2016:Directing the Respondent to disburse the payments relating to surrender Leave Salary i.e Earned leave balance as on 31.01.2014 Earned Leave balance amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.02.2014 within stipulated time as may be fixed by this Honourable Court.

WP.No.38767/2016:

Directing the Respondent to disburse the payments relating to surrender Leave Salary i.e Earned leave balance as on 30.06.2016 Earned Leave balance amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.07.2016 within stipulated time as may be fixed by this Honourable Court.

WP.No.38768/2016:Directing the Respondents to disburse the payments relating to Provident Fund Gratuity ERBS Pension arrears Surrender Leave Salary i.e. Earned Leave balance as on 30.09.2015 Social welfare amount Leave Encashment IRT T amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.10.2015 within stipulated time as may be fixed by this Honble Court.

WP.No.38769/2016:Directing the Respondent to disburse the payments relating to surrender Leave Salary i.e Earned leave balance as on 31.12.2013 Earned Leave balance amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.01.2014 within stipulated time as may be fixed by this Honourable Court

WP.No.38770/2016:Directing the Respondent to disburse the payments relating to surrender Leave Salary i.e Earned leave balance as on 31.03.2015 Earned Leave balance amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.04.2015 within stipulated time as may be fixed by this Honourable Court.

WP.No.38771 of 2016:Directing the Respondent to disburse the payments relating to surrender Leave Salary i.e Earned leave balance as on 31.05.2013 Earned Leave balance amount and other monetary benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.06.2013 within stipulated time as may be fixed by this Honourable Court.

For Petitioner

in all WPs : Mr.I.C.Vasudevan

For Respondents

in all WP's : Mr.P.Kannan Kumar

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 respondent/s.

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/s is/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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The General Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd,
Erode Regional Office,
Chennimalai Road,
Erode.

2.The Managing Director
Tamil Nadu State Transport
Corporation Limited(Coimbatore)
37 Mettupalayam Road, Corporate Officer
Coimbatore-47

3.The Administrator
Tamil nadu State Transport
Corporation
Employees Post Retirement
Welfare fund Scheme,
Thiruvalluvar House, Pallavan Salai
Chennai-600 002

+8 ccs to M/s.I.C.Vasudevan Advocate sr 65115 to 65122

W.P.Nos.38764 to 38771 of 2016

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