

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38772 to 38784 of 2016

M.C.Karunanithi ... Petitioner in W.P.No.38772 of 2016
P.Kaliannan ... Petitioner in W.P.No.38773 of 2016
M.Palanisamy ... Petitioner in W.P.No.38774 of 2016
M.Ganesan ... Petitioner in W.P.No.38775 of 2016
K.Balasubramanian ... Petitioner in W.P.No.38776 of 2016
A.Shanmuga Sundaram ... Petitioner in W.P.No.38777 of 2016
P.Kandasamy ... Petitioner in W.P.No.38778 of 2016
R.Jawarharlal ... Petitioner in W.P.No.38779 of 2016
S.Nagarajan ... Petitioner in W.P.No.38780 of 2016
A.Arumugam ... Petitioner in W.P.No.38781 of 2016
R.Rajamanickam ... Petitioner in W.P.No.38782 of 2016
S.Dhinakaran ... Petitioner in W.P.No.38783 of 2016
S.Natarajan ... Petitioner in W.P.No.38784 of 2016

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem Division NO.12
Ramakrishna Road Post Box No.713
Salem- 636 007. ... 1st Respondent in W.P.No.38772
to 38784/16
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem Division
No.12 Ramakrishna Road
Post Box No.713
Salem- 636 007. ... 2nd Respondent in
W.P.No.38772/16, 38773/16,
38774/16, 38775/16, 38776/16,
38778, 38779, 38780, 38781,
38782 and 38784/16

The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd
Dharmapuri Region,
Dharmapuri.

...2nd Respondent in
W.P.No.38777/16, 38783/16

Writ Petitions preferred under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the

i)a).Payment of Gratuity b). Earned Leave c) Medical leave
d) Employees Retirement benefit Scheme (ERBS). (W.P.No.38772/16)

ii)a).Payment of Gratuity b). Earned Leave c) Institute of Road and Transport Technology (IRTT) Fund d) Employees Retirement benefit Scheme (ERBS) (W.P.No.38773/16)

iii)a).Payment of Gratuity b). Earned Leave c) Medical leave & Old Medical Leave d) Institute of Road and Transport Technology (IRTT) Fund e) Employees Retirement benefit Scheme (ERBS). (W.P.No.38774/16 to 38782/16 and 38784/16) and

iv)directing the respondents to settle the Payment of Gratuity and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Court. (W.P.No.38783/16)

For Petitioner :Mr.N.Sudhagar Nagaraj,
in all the writ petitions

For Respondents :Mr.R.K.Gandhi,
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/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem Division NO.12
Ramakrishna Road Post Box No.713 Salem-
636 007.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem Division No.12
Ramakrishna Road Post Box No.713 Salem-
636 007.

3. The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd
Dharmapuri Region,
Dharmapuri.

+13 cc to M/S.M.Suthagar Nagaraj, Advocate Sr.64013

W.P.Nos.38772 to
38784 of 2016

rsi[co]
srg 07/12/2016



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