

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38874 to 38876 of 2016

G.Dhamodaran	...	Petitioner in W.P.No.38874/2016
K.Ganeshan	...	Petitioner in W.P.No.38875/2016
S.K.Dorai	...	Petitioner in W.P.No.38876/2016

vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore Division) Limited,
37, Mettupalayam Road,
Coimbatore-641 043.

.. Respondents in all the writ petitions

Writ Petition No.38874 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to settle the entire retirement benefits of the petitioner i.e. Gratuity amount of Rs.6,29,796/- + Leave Surrender sum of Rs.88,946/- + Provident Fund sum of Rs.9,44,335/- + Medical Leave sum of Rs.66,444/- Totally sum of Rs.17,26,521/- + arrears of amounts as per 12(3) Settlement w.e.f. 01.09.2013 till the date of retirement i.e. 31.05.2016 and other benefits and enhanced Dearness Allowances along with 18% interest on delayed payment from 01.06.2015 till the date of disbursement of the terminal benefits to the petitioner.

Writ Petition No.38875 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to settle the entire retirement benefits of the petitioner i.e. Gratuity amount of Rs.7,65,613/- + Social Security Scheme amount of Rs.48,000/- + Leave Encashment (for 193 days) a sum of Rs.2,66,919/- + Medical Leave (for 17 days) a sum of Rs.23,511/- Totally sum of Rs.11,04,043/- + arrears of amounts as per 12(3) Settlement w.e.f. 01.09.2013 till the date of retirement i.e. 30.04.2015 and other attendant benefits and enhanced Dearness Allowances along with 18% interest on delayed payment from 01.05.2015 till the date of disbursement of the terminal benefits to the petitioner.

Writ Petition No.38876 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to settle the entire retirement benefits of the petitioner i.e. Leave Surrender sum of Rs.2,61,871/-, Totally a sum of Rs.2,61,871/- and other benefits and enhanced Dearness Allowances along with 18%

interest on delayed payment from 01.06.2011 till the date of disbursement of the terminal benefits to the petitioner.

For Petitioner : Mr.R.Y.George Williams
in all WPs
For Respondent : Mr.S.Sairaman
in all WPs

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 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 01.02.2017.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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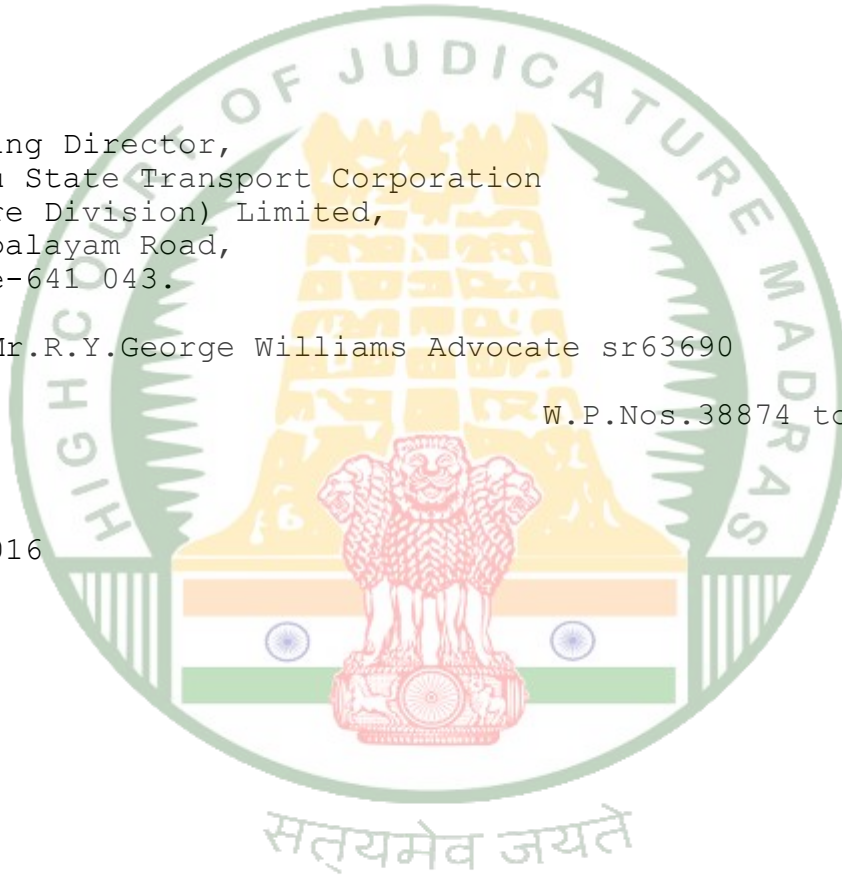
To

The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore Division) Limited,
37, Mettupalayam Road,
Coimbatore-641 043.

+1 cc to Mr.R.Y.George Williams Advocate sr63690

W.P.Nos.38874 to 38876/2016

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