

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.39276 to 39278 of 2016

A.Sunderasan ... Petitioner in W.P.No.39276/2016
R.Thamodaran ... Petitioner in W.P.No.39277/2016
M.Ramalingam ... Petitioner in W.P.No.39278/2016

Vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd.,
No.3/137, Salamedu,
Valuthareddy,
Villupuram - 605 602.
... 1st Respondent in all the W.Ps.
- 2 The General Manager
TamilNadu State Transport Corporation (VPM) Ltd.,
Vengikkal,
Tiruvannamalai Regional,
Tiruvannamalai - 606 601.
...2nd Respondent in W.P.No.39276/2016
- 2 The General Manager
Tamil Nadu State Transport Corporation (VPM) Ltd.,
No.3/137, Salamedu,
Valuthareddy,
Villupuram - 605 602.
... 2ndRespondent in W.P.Nos.39277 and
39278/2016
- 3 The Administrator
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.
... 3rdRespondent in W.P.Nos.39276 and
39277/2016

Prayer in W.P.No.39276 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to settle the retirement benefits, including gratuity, Welfare Fund, Post Retirement Scheme arrears and all other attendant retirement benefit etc., with interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension gratuity etc., to the petitioner payable from the date of retirement i.e.30/04/2016 to till the date of actual payment within the time that may be stipulated by this court on par with similar issue decided in W.P.(MD) No.19544 of 2014 dated 23/07/2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly instalments and to pay 6% interest to the terminal benefits payable to the petitioner.

Prayer in W.P.No.39277 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to settle the retirement benefits, including gratuity, Welfare Fund, Post Retirement Scheme arrears and all other attendant retirement benefit etc., with interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension gratuity etc., to the petitioner payable from the date of retirement i.e.31/12/2014 to till the date of actual payment within the time that may be stipulated by this court on par with similar issue decided in W.P.(MD) No.19544 of 2014 dated 23/07/2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly instalments and to pay 6% interest to the terminal benefits payable to the petitioner.

Prayer in W.P.No.39278 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to settle the retirement benefits, including gratuity, Welfare Fund, Post Retirement Scheme arrears and all other attendant retirement benefit etc., with interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension gratuity etc., to the petitioner payable from the date of retirement i.e.30/09/2012 to till the date of actual payment within the time that may be stipulated by this court on par with similar issue decided in W.P.(MD) No.19544 of 2014 dated 23/07/2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly instalments and to pay 6% interest to the terminal benefits payable to the petitioner.

For Petitioners : Mr.K.Narayanan in all Wps
For Respondents : Mr.P.Kannan Kumar in all WPs

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2.The writ petitions have been filed seeking Mandamus directing the respondents to settle the retirement benefits, due to the petitioners, together with interest, within the time that may be stipulated by this Court on par with similar issue decided in W.P.(MD) No.19544 of 2014 dated 23.07.2015.

3.The petitioners are the employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondent requesting to pay all the retirement benefits. But, the same have not been considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4.I have heard the learned counsel appearing for the petitioners and the learned counsel who take notice for the respondents.

5.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).

6.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.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd.,
No.3/137, Salamedu,
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Villupuram - 605 602.
- 2 The General Manager
TamilNadu State Transport Corporation (VPM) Ltd.,
Vengikkal,
Tiruvannamalai Regional,
Tiruvannamalai - 606 601.
- 3 The General Manager
Tamil Nadu State Transport Corporation (VPM) Ltd.,
No.3/137, Salamedu,
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- 4 The Administrator
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+3cc to Mr.K. narayanan, Advocate, S.R.No.64833 to 64835

nm (CO)
md (17/11/2016)

W.P.Nos.39366 to 39368 of 2016