

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.39297 to 39299 of 2016

Jayanthi ... Petitioner in W.P.No.39297/2016
R.Suganthi ... Petitioner in W.P.No.39298/2016
P.Murugesan ... Petitioner in W.P.No.39299/2016

Vs.

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

... Respondents in all the W.Ps.

Prayer in W.P.No.39297 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to settle payment of gratuity, Earned Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and Dearness Allowance and other benefits of petitioner's husband payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

Prayer in W.P.No.39298 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to settle payment of gratuity, Earned Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and Dearness Allowance and other benefits of petitioner's husband payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

Prayer in W.P.No.39299 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to settle payment of gratuity, Earned Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and Dearness Allowance and other benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

For Petitioners : Mr.A.Rajakumar
For Respondents : Mr.R.K.Gandhi

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 stipulated by this Court.

3.The petitioners are the legal heirs of the retired employees and retired employee of the respondent Corporation and they were not paid the retirement benefits due to them, fully. 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(CS II)

//True Copy//

Sub Assistant Registrar

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To

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(Salem) Limited,
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Chennai - 600 002.

+ 3ccs to Mr.A. Rajakumar, Advocate SR.64434, 64435, 64436

W.P.Nos.39297 to
39299 of 2016

TRM(CO)
EU 15.11.16