

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39392 to 39397 of 2016

K.S.Muniswamy ... Petitioner in W.P.No.39392 of 2016
B.Murthy ... Petitioner in W.P.No.39393 of 2016
E.Anandan ... Petitioner in W.P.No.39394 of 2016
K.Santhalingam ... Petitioner in W.P.No.39395 of 2016
L.Pandian ... Petitioner in W.P.No.39396 of 2016
G.Nagarajan ... Petitioner in W.P.No.39397 of 2016

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vazhuthareddy
Villupuram- 605 602.Ist Respondent in all the WPs
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vellore Region
Vellore.2nd Respondent in W.P.Nos.39392,
39393, 39394, 39395, 39397/16
- 3 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Kancheepuram District,
Kancheepuram.2nd Respondent in
W.P.No.39396/2016
- 4 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002. 3rd Respondent in W.P.Nos.39392,
39393, 39396 and 39397 of 2016

Prayer in W.P.No.39392, 39393 and 39397 of 2016:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender Earned Leave & Old Medical Leave D.A. Arrears

and all other Retirement Benefits by Calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.07.2016, 1-6-2016, and 1-9-2016 respectively within the stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.39394 of 2016:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave & Old Medical Leave) IRT Share Amount and all other Retirement Benefits by Calculating D.A. eligible as per newly implemented with interest at 12% per annum with effect from 01.05.2014 within the stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.39395 of 2016:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears amount by Calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.07.2015 within the stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.39396 of 2016:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Pension Commutation and Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears IRT Share Amount and all other benefits by Calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.07.2016 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner :Mr.G.Sakthivel,
in all the writ petitions

For Respondents :Mr.P.Kannan Kumar,
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(CCC)

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Sub Assistant Registrar

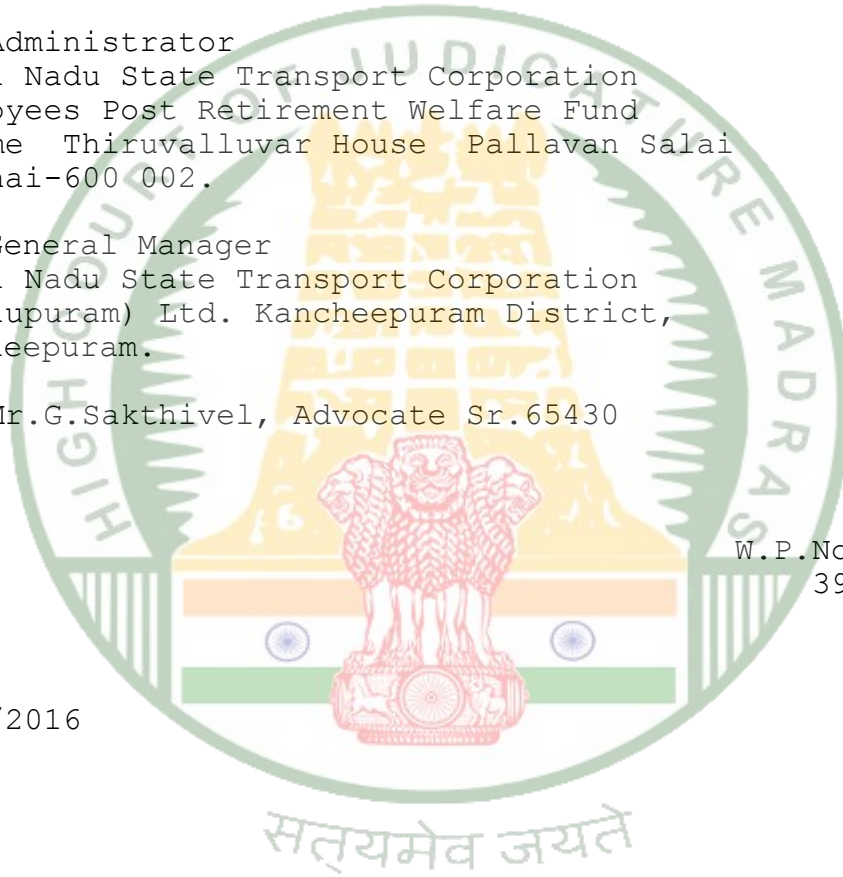
To

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vazhuthareddy Villupuram-
605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vellore Region Vellore.
- 3 The Administrator
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Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.
- 4 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Kancheepuram District,
Kancheepuram.

+6ccs to Mr.G.Sakthivel, Advocate Sr.65430

W.P.Nos.39392 to
39397 of 2016

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