

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39430 to 39437 of 2016

M.Natarajan	...	Petitioner in W.P.No.39430 of 2016
R.Raghuraj	...	Petitioner in W.P.No.39431 of 2016
R.Panneerselvam	...	Petitioner in W.P.No.39432 of 2016
V.V.Balakrishnan	...	Petitioner in W.P.No.39433 of 2016
K.M.Dhayalan	...	Petitioner in W.P.No.39434 of 2016
A.Gunasekaran	...	Petitioner in W.P.No.39435 of 2016
P.Devaraj	...	Petitioner in W.P.No.39436 of 2016
V.Rajasekaran	...	Petitioner in W.P.No.39437 of 2016

vs.

Tamil Nadu State Transport Corporation
Limited,
37, Mettupalayam Road,
Coimbatore-641 043
rep.by its Managing Director ... Respondent in all WPs

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the Respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

W.P.No.39431 of 2016:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or in the nature of writ to issue a Writ of Mandamus directing the Respondent to pay the petitioner all his retirement benefits including Gratuity and Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and

to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

W.P.No.39432 of 2016:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or in the nature of writ to issue a Writ of Mandamus directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity and Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

W.P.No.39433 of 2016:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or in the nature of writ to issue a Writ of Mandamus directing the Respondent to pay the petitioner all his retirement benefits including Gratuity and Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

W.P.No.39434 of 2016:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or in the nature of writ to issue a Writ of Mandamus directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund and Gratuity and all other benefits with interest at the rate of 18% per annum within the time frame

that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

W.P.No.39435 of 2016:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or in the nature of writ to issue a Writ of Mandamus directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity and Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

W.P.No.39436 of 2016:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or in the nature of writ to issue a Writ of Mandamus directing the Respondent to pay the petitioner all his retirement benefits including Gratuity and Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

W.P.No.39437 of 2016:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or Direction or in the nature of writ to issue a Writ of Mandamus directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund Commutation Gratuity and all

other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

For Petitioner :Mr.A.Rajendiran,
in all the W.Ps.

For Respondent :Mr.P.Kannan Kumar,
in all the W.Ps

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 1.2.2017.

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

Sd/-
Assistant Registrar(CS VI)

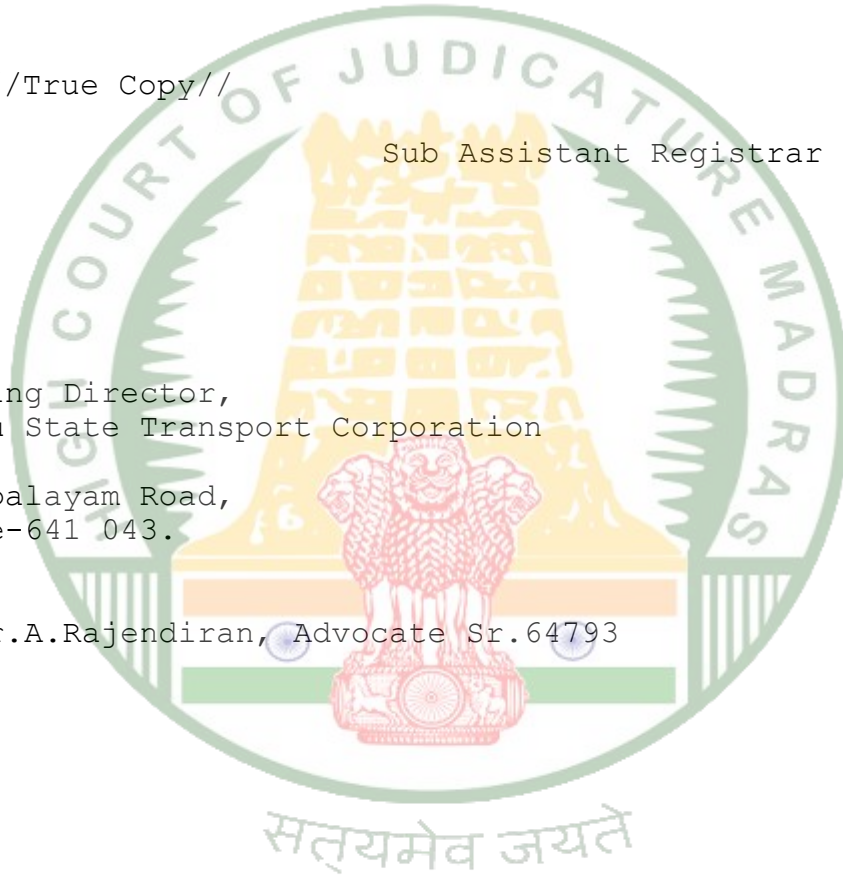
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Sub Assistant Registrar

sbi
To

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

+lcc to Mr.A.Rajendiran, Advocate Sr.64793



W.P.Nos.39430 to
39437 of 2016
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