

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39458 to 39460 of 2016

W.P.No.39458 of 2016:

K.Dhakshnamoorthy ... Petitioner

vs.

- 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
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600 002.
- ... Respondents

W.P.No.39459 of 2016:

R.T.Gunasekaran ... Petitioner

vs.

- 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. Thiruvannamalai Region
Thiruvannamalai.

3 The Administrator
 Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600 002. ... Respondents.

W.P.No.39460 of 2016:

K.Govindhapillai vs. ... Petitioner

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. Villupuram Region
Villupuram.

3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600 002. Respondents

Writ petition No.39458 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), Social Welfare Fund, IRT Amount, CRBS Pension , 12(3) Settlement arrears , Pension arrears , D.A. arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.6.2016 within stipulated time as may be fixed by this Honourable court.

Writ petition No.39459 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse the payments relating to Gratuity, CRBS amount, D.A arrears, 12(3) Settlement arrear, 5.5 Pension arrear and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.11.2013 within stipulated time as may be fixed by this Honourable court.

Writ petition No.39460 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse the payments relating to Gratuity, unavailed portion, leave Salary, CRBS Pension, 12(3) Settlement arrears, D.A. arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.07.2016 within stipulated time as may be fixed by this Honourable court.

For Petitioner : Mr.J.Pradeep,
in all the writ petitions
For Respondents : Mr.S.Sairaman,
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)

//True Copy//

Sub Assistant Registrar

sbi
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
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600 002.
- 4 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Thiruvannamalai Region
Thiruvannamalai.
- 5 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Villupuram Region
Villupuram.

+3cc to Mr.J.Pradeep, Advocate Sr.65171

W.P.Nos.39458 to
39460 of 2016

trm[co]
srg 16/11/2016