

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39558 to 39560 of 2016

T.Wilson Ponthambi ... Petitioner in
W.P.No.39558 of 2016

K.Kasinathan ... Petitioner in
W.P.No.39559 of 2016

C.Krishnakumar ... Petitioner in
W.P.No.39560 of 2016

Vs

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai 600 009.
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
LTd. Pallavan Salai
Chennai 600 002. ... Respondents 1 and
2 in all the W.Ps.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Palalvan Salai
Chennai 600 002. ... 3rd respondent in
W.P.Nos.39558 & 39559
of 2016

Prayer in W.P.No.39558 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the 2nd and 3rd Respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary amount of Rs.3,50,000/- Social Security Scheme Fund amount of Rs.20,000/- Leave on Private affairs Rs.70,000/- IRT Contribution Amount Rs.4600/- and Pension Commutation Amount of Rs.3,15,000/- the total comes to Rs.7,59,600/- (Rupees Seven Lakhs Fifty Nine Thousand Six hundred only) with 18% interest on delayed payment to the petitioner staff No.A50179 who retired from service on 30.04.2015.

Prayer in W.P.No.39559 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the 2nd and 3rd Respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary amount of Rs.3,49,500/-1998 Settlement Leave Benefit Amount of Rs.32,200/- Pension Commutation Amount of Rs.3,03,500/- IRT Contribution Amount of Rs.4,600/- Social Security Scheme Fund Amount Rs.20,000/- Provident Fund Contribution Arrears amount of Rs.1,440/- the total comes to Rs.7,11,240/- (Rupees Seven Lakhs Eleven Thousand Two Hundred and forty Only) with 18% interest on delayed payment to the petitioner The Checking Inspector staff No.C12547 who has retired from service on 30.04.2016.

Prayer in W.P.No.39560 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the 2nd and 3rd Respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary amount of Rs.4,23,920/-1998 Settlement Leave Benefit Amount of Rs.90,000/- Social Security Scheme fund Amount of Rs.20,000/- IRT Contribution Amount of Rs.4,600/- the total comes to Rs.5,38,520/- (Rupees Five Lakhs Thirty Eight Thousand Five Hundred and Twenty only) with 18% interest on delayed payment to the petitioner the Traffic Manager who has retired from service on 29.02.2016.

For Petitioner : Mr.D.Veerasekaran
(in all WPs) in all the W.Ps.

For Respondents : Mr.O.Selvam, G.A. for R1
(in all WPs) Mr.P.Kannan Kumar for
R2 & R3
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, learned Government Advocate, who has taken notice on behalf of the first respondent and the learned counsel, who has taken notice on behalf of the respondents 2 and 3.

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(CS VI)

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Sub Assistant Registrar

To

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai 600 009.
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd. Pallavan Salai Chennai 600 002.

3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Palalvan Salai Chennai 600 002.

+3cc to Mr.D.Veerasekaran, Advocate Sr.64853 to 64855

W.P.Nos.39558 to
39560 of 2016

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