

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39853 to 39857 of 2016

K.Sampath	... Petitioner in WP.39853/16
M.Ramamoorthy	... Petitioner in WP.39854/16
R.Rajendran	... Petitioner in WP.39855/16
E.Sekar	... Petitioner in WP.39856/16
N.Venkatesan	... Petitioner in WP.39857/16

Vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vazhuthareddy
Villupuram 605 602
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Tiruvannamalai Region
Tiruvannamalai
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai 2 ... Respondents in all WPs

Prayer in W.P.No.39853 of 2016: Writ petition 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 and Old Medical Leave), IRT amount, CRBS Pension, D.A. arrears, Pension arrears (2013) Settlement arrears, last 11 days salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.8.2015 within stipulated time as may be fixed by this Honourable Court.

WP.No.39854/16: Writ petition 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 and Old Medical Leave) IRT amount CRBS Pension D.A. arrears Pension

arrears (2013) Settlement arrears last 10 days salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.7.2015 within stipulated time as may be fixed by this Honourable Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

WP.No.39855/16: Writ petition 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 Leave Encashment (Earned and Old Medical Leave) Yearly Leave Surrender amount IRT amount CRBS Pension D.A. arrears while in service D.A. arrears in Pension (2013) 5.5 Settlement arrears last 11 days salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.11.2014 within stipulated time as may be fixed by this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

WP.no.39856/16: Writ petition 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 Pension D.A. arrears D.A. arrears in Pension last 11 days salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.4.2013 within stipulated time as may be fixed by this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

WP.No.39857/16: Writ petition 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 IRT amount CRBS Pension D.A. arrears Pension arrears (2013) 5.5 Settlement arrears 5.5 Pension arrears last 11 days salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.8.2015 within stipulated time as may be fixed by this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

For Petitioner
in all W.Ps.

:

Mr.J.Pradeep

For Respondent
in all W.Ps.

:

Mr.P.Kannan Kumar

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, both the writ petitions are disposed of. No costs.

Sd/-
Asst.Registrar (CS CCC)

/true copy/

Sub Asst. Registrar

To

1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vazhuthareddy Villupuram 605 602

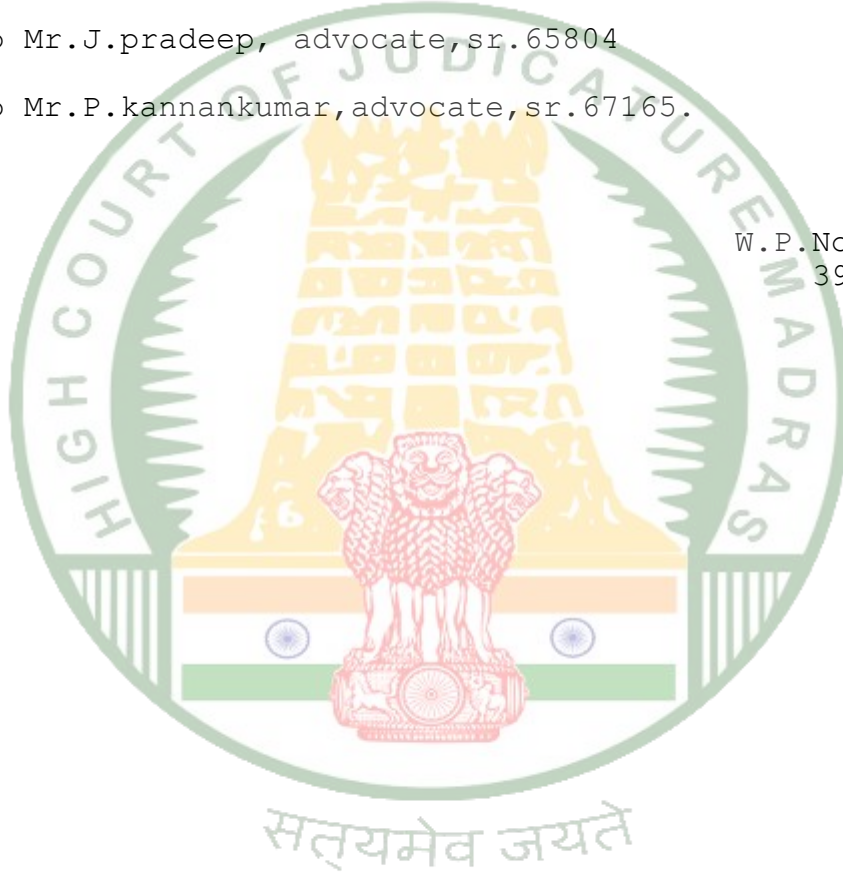
- 2 The General Manager
Tamil Nadu State Transport Corporation
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Tiruvannamalai Region
Tiruvannamalai
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai 2

+5 cc's to Mr.J.pradeep, advocate,sr.65804

+2 cc's to Mr.P.kannankumar,advocate,sr.67165.

sv(co)
krd 29/11

W.P.Nos.39853 to
39857 of 2016



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