

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39889 to 39895 of 2016

L.S.Panneer, Staff No.DR40935 ..Petitioner in WP.39889/16
D.Nandagopal, Staff No.TR20524 ..Petitioner in WP.39890/16
K.Yakuf, Staff No.TR20505 ..Petitioner in WP.39891/16
B.Babu, Staff NO.TR20493 ..Petitioner in WP.39892/16
G.Chidambaram, Staff NO.CR61250..Petitioner in WP.39893/16
C.Palani, Staff No.SR41078 ..Petitioner in WP.39894/16
S.Boobalan, Staff No.CR61422 ..Petitioner in WP.39895/16

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 Kancheepuram Region
Kancheepuram ..RR1&2 in all WPs
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600002 ..R3 in WP.39889 to 39890,
39892, 39894 & 39895/16

WP.39889/16: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the Respondents to disburse the payments relating to Gratuity, Pension, Commutation and Leave Surrender (Earned Leave & Old Medical Leave), 2013 Settlement arrears, IRT Share Amount, Revised D.A Arrears in pension and all others 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 01.06.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.39890/16: Writ of Mandamus, or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus, Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement arrears IRT Share Amount Revised D.A Fixation in Pension and all others 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 may deem fit and proper in the facts and circumstances of the case and thus render justice.

WP.No.39891/16: Writ of Mandamus, or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus, directing the Respondents to disburse the payments relating to Gratuity Pension Commutation and Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement effect with arrears Revised Pay Fixation as per 2013 Settlement and all others 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 01.04.2015 within the 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.39892/16: Writ of Mandamus, or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus, directing the Respondents to disburse the payments relating to Gratuity Pension Commutation and Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement Effect with arrears Revised Pay Fixation as per 2013 Settlement and all others 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 01.10.2014 within the 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.39893/16: Writ of Mandamus, or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus, directing the Respondents to disburse the payments relating to Gratuity Security Deposit Amount D.A. Arrears and all others 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 01.03.2013 within the

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.39894/16: Writ of Mandamus, or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus, directing the Respondents to disburse the payments relating to Gratuity Pension Commutation and Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement arrears IRT Share Amount Revised D.A Arrears in Pension and all others 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 may deem fit and proper in the facts and circumstances of the case and thus render justice.

WP.No.39895/16: Writ of Mandamus, or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus, directing the Respondents to disburse the payments relating to Gratuity Pension Commutation and Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement arrears IRT Share Amount Revised D.A Arrears in Pension and all others 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 may deem fit and proper in the facts and circumstances of the case and thus render justice.

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/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. 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 Kancheepuram Region Kancheepuram
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600002

+2 cc's to Mr.P.Kannankumar,advocate,sr.67168.

rv(co)

krd 30/11

W.P.Nos.39889 to
39895 of 2016