

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39896 to 39905 of 2016

M.Kandasamy .. Petitioner in WP.No.39896 & 39897 of 2016
V.Thamaraiselvan .. Petitioner in WP.No.39897/2016
S. Mariappan .. Petitioner in WP.No.39898/2016
P. Dhanapalan .. Petitioner in WP.No.39899/2016
K. Rajasekar .. Petitioner in WP.No.39900/2016
C. Karuppusamy .. Petitioner in WP.No.39901/2016
K. Arunachalam .. Petitioner in WP.No.39902/2016
D. Sundararajan .. Petitioner in WP.No.39903/2016
D. Anandan .. Petitioner in WP.No.39904/2016
Humayun .. Petitioner in WP.No.39905/2016

Vs

The Managing Director
Tamil Nadu State Transport Corporation Ltd
12 Ramakrishna Road Salem- 636007 ... Respondent in
WP.Nos.39896 &
39897 of 2016

1) Tamil Nadu State Transport Corporation Ltd Coimbatore
Rep. By it managing Director ... Respondent in WP.Nos.39897,
39898, 39899, 39900, 39901,
39902, 39903/2016 +
39905/2016 and 1st Respondent
in WP.39904/2016

2) The Administrator, ... 2nd Respondent in
Tamil Nadu State Transport Corporation WP.39904/2016
Ltd, Pension Fund Trust, Chennai-2.

Prayer in W.P.Nos.39896 & 39897 of 2016 :

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 Surrender Leave Salary Settlement arrears Salary 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 this respondent within the time frame that may be stipulated by this Honourable court.

Prayer in WP.Nos.39898, 39899, 39900, 39901, 39902, 39903, 39904 & 39905/2016 :

Directing the Respondent to pay the petitioner all his retirement benefits including Gratuity 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.

For Petitioner : Mr.A.Rajendiran
in all the writ petitions
For Respondent : Mr.R.K.Gandhi
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 respondent, 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.

sbi

Sd/-

Assistant Registrar (CS-)

/TRUE COPY/

Sub-Assistant Registrar

To

- 1 The Managing Director
Tamil Nadu State Transport Corporation Ltd
12 Ramakrishna Road Salem- 636007
- 2 The Managing Director
Tamil Nadu State Transport Corporation Ltd
37, Mettupalayam Road, Coimbatore - 641 043
- 3 The Administrator,
Tamil Nadu State Transport Corporation Ltd,
Pension Fund Trust, Chennai-2.

+10 CC Mr.A.Rajendiran Advocate SR.No.65623

**W.P.Nos.39896 to
39905 of 2016**

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MSI 22/12/2016