

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39906 to 39911 of 2016

R.Ramanujam ... Petitioner [W.P.No.39906 of 2016]
S.Ramajayam ... Petitioner [W.P.No.39907 of 2016]
T.Prakaspathi ... Petitioner [W.P.No.39908 of 2016]
K.Ramakrishnan ... Petitioner [W.P.No.39909 of 2016]
K.Natarajan ... Petitioner [W.P.No.39910 of 2016]
V.Natarajan ... Petitioner [W.P.No.39911 of 2016]

Vs

M/s.State Express Transport
Corporation Ltd Rep by its Managing
Director NO.2 Pallavan Salai
Chennai-600 002 Respondent
[IN ALL THE PETITIONS]

[W.P.No.39906 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 settle petitioner terminal benefits of surrender of earned leave 208 days and medical leave 70 days amount of Rs.3,24,300/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 17.10.2016.

[W.P.No.39907 of 2016]

Directing the respondent to settle the terminal benefits of the petitioner of gratuity amount of Rs.7 50 000/- Surrender of earned leave 49.5 days amount of Rs.66 000/- Social Security Scheme amount of Rs.30,000/- Commutation amount of Rs.3,50,000/- and Erode Engineering College and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.12,00,500/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 02.11.2016

[W.P.No.39908 of 2016]

Directing the respondent to settle the terminal benefits of the petitioner of Provident fund amount of Rs.3,63, 025/- Surrender of earned leave 214.5 days and medical leave 100.5 days amount of Rs.3,67,500/- Social Security Scheme amount of Rs.30,000/- and Erode Engineering College and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.7,65,025/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 04.11.2016

[W.P.No.39909 of 2016]

Directing the respondent to settle the terminal benefits of the petitioner of Gratuity amount of Rs.7,50,000/- Surrender of earned leave 7.5 days amount of Rs.10,600/- Social Security Scheme amount of Rs.30,000/- and Erode Engineering College and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.7,95,100/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 02.11.2016

[W.P.No.39910 of 2016]

Directing the respondent to settle the terminal benefits of the petitioner of Gratuity amount of Rs.7,50,000/- Surrender of earned leave 41.5 days amount of Rs.56,015/- Social Security Scheme amount of Rs.30,000/- and Erode Engineering College and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.8,40,515/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 02.11.2016

[W.P.No.39911 of 2016]

Directing the respondent to settle the terminal benefits of the petitioner of gratuity amount of Rs.7,50,000/- Surrender of earned leave 50 days amount of Rs.66,667/- Social Security Scheme amount of Rs.30,000/- Commutation amount of Rs.3,50,000/- and Erode Engineering College and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.12,01,167/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 02.11.2016

For Petitioner : Mr.D.Soundarraaj
in all the writ petitions

For Respondent : 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 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

/TRUE COPY/

Sub-Assistant Registrar

To

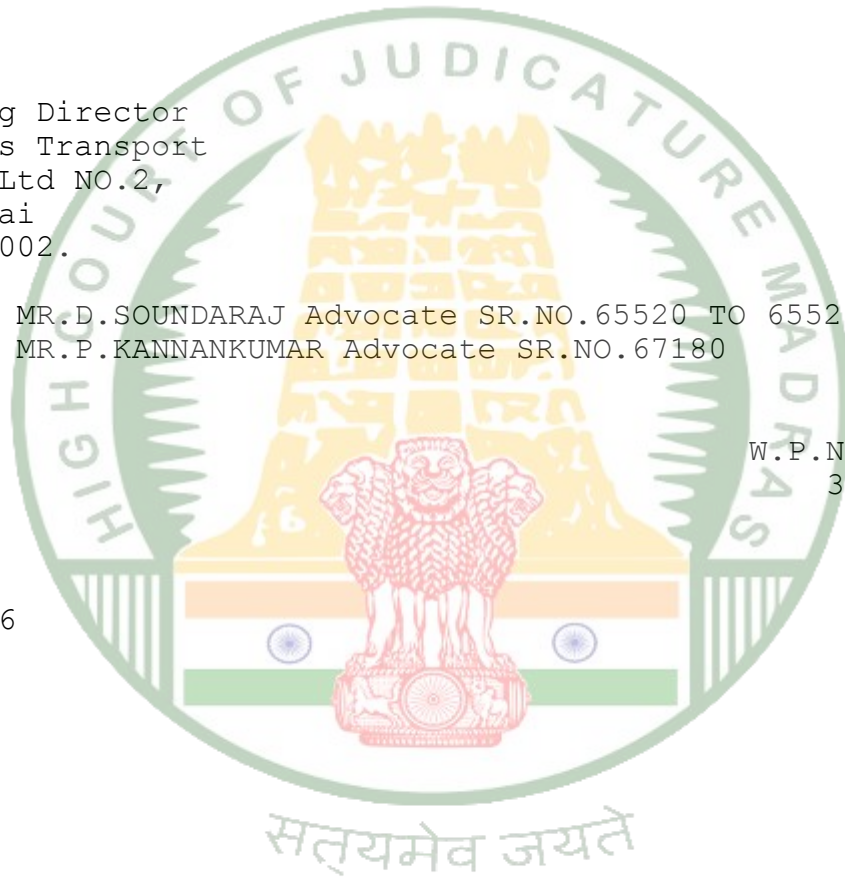
The Managing Director
State Express Transport
Corporation Ltd NO.2,
Pallavan Salai
Chennai-600 002.

+6CC to MR.D.SOUNDARAJ Advocate SR.NO.65520 TO 65525
+6CC to MR.P.KANNANKUMAR Advocate SR.NO.67180

W.P.Nos.39906 to
39911 of 2016

GJII

MK:28/12/2016



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