

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39928 to 39931 of 2016

K.Nageshwaran Petitioner in
W.P.No.39928 of 2016

A.Mohammed Ali Petitioner in
W.P.No.39929 of 2016

K.Mohanam Petitioner in
W.P.No.39930 of 2016

S.Rajendran Petitioner in
W.P.No.39931 of 2016

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 Vellore Region
Vellore. Respondents 1 and
2 in all the W.Ps.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600 002. 3rd respondent in
W.P.No.39930 of 2016

W.P.No.39928 of 2016: 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 Leave Surrender (Earned Leave & Old Medical Leave) Surrender Leave Salary 2013 Settlement

Effect with Arrears Pension Arrears and D.A. Arrears and all other Benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil nadu 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.

W.P.No.39929 of 2016: 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 Leave Surrender (Earned Leave & Old Medical Leave) Surrender Leave Salary 2013 Settlement Effect with Arrears D.A. Arrears and all other Benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.05.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.39930 of 2016: 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 Commutation Leave Surrender (Earned Leave & Old Medical Leave) ERBS Pension Last Month 10 days salary D.A. Arrears and all other Benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.04.2016 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.39931 of 2016: 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 Gratuity Leave Surrender (Earned Leave & Old Medical Leave) 2013 settlement Effect with arrears Pension arrears and D.A. Arrears and all other Benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.07.2014 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.G.Sakthivel
in all the W.Ps.

For Respondents : Mr.P.Kannan Kumar
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 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/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

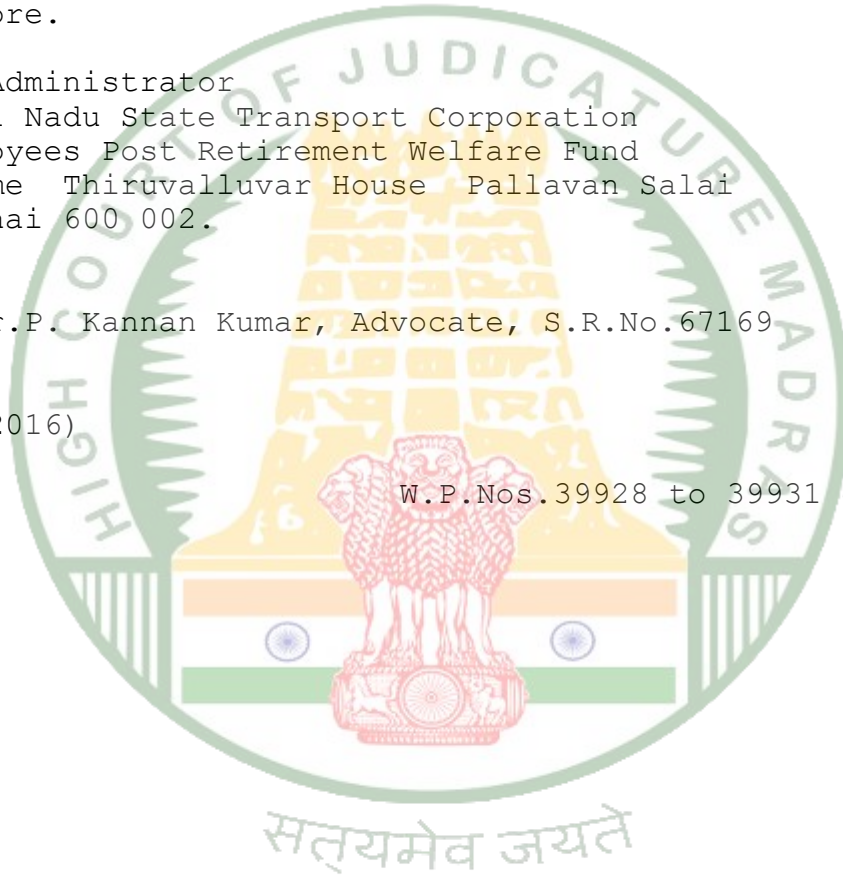
To

- 1 The Managing Director
Tamil Nadu State Transport Corporation
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Villupuram 605 602.
- 2 The General Manager
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(Villupuram) Limited Vellore Region
Vellore.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600 002.

+lcc to Mr.P. Kannan Kumar, Advocate, S.R.No.67169

sr(CO)
md(02/12/2016)

W.P.Nos.39928 to 39931 of 2016



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