

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39932 to 39940 of 2016

G.Mani (Staff No.Sr.0979)Petitioner in W.P.39932/16
S. Manoharan (Staff No.CR.1219)....Petitioner in W.P.39933/16
A. Dowlathkhan (Staff No.Cr.1694)....Petitioner in W.P.39934/16
A. Kaliyamoorthy (Staff No.Dr.3045)....Petitioner in W.P.39935/16
S. Sampath (Staff No.TS.0390)Petitioner in W.P.39936/16
K. Purushothaman (Staff No.Dr.1793)...Petitioner in W.P.39937/16
P. Gunasekaran (Staff No.FD.0088)....Petitioner in W.P.39938/16
E. Muralidharan (Staff No.Sr.2007)....Petitioner in W.P.39939/16
K. Gokula Doss (Staff No.Sr.1155)....Petitioner in W.P.39940/16

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vazhuthareddy
Villupuram- 605 602.(R1 in W.P.Nos.39932 to
39937/16, 39939 and 39940/16
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Vazhuthareddy
Villupuram- 605 602.2nd Respondent in W.P.39932,
39934 to 39935, 39936 and 39940/16

The General Manager
T.N. State Transport Corporation (Villupuram) Ltd
Cuddalore Region, CuddaloreR2 in W.P.No.39933, 39937,
39939/16

The Administrator
T.N. State Transport Corporation
Employees post retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai, Chennai-2R3 in W.P.39936 & 39940/16

The Managing Director
T.N. State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Road,
SalemR1 in W.P.39938 of 2016

The General Manager
T.N. State Transport Corporation (Salem) Ltd.
12. Ramakrishna Road, Salem-7 ...R2 in W.P. 39938/16

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 Arrears Settlement Effect Arrears Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others 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 01.03.2015 within the stipulated time as may be fixed by this Honourable Court. (W.P.No.39932 of 2016)

Directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others 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 01.07.2013 within the stipulated time as may be fixed by this Honourable Court (W.P.No.39933 of 2016)

Directing the respondents to disburse the payments relating to Gratuity D.A. Arrears and others 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 (W.P.No.39934 of 2016)

Directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others 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 01.06.2013 within the stipulated time as may be fixed by this Honourable Court (W.P.No.39935 of 2016)

Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Pension Arrears Settlement Effect Arrears Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others 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 01.02.2014 within the stipulated time as may be fixed by this Honourable Court (W.P.No.39936 of 2016)

Directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) D.A. Arrears and others 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 1.7.2016 within the stipulated time as may be fixed by this Honourable Court (W.P.No.39937 of 2016)

Directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & 1998 Old Medical Leave) Leave Surrender in the year of 2009 to 2011 Labour Welfare Fund IRT Share Amount DA Arrears and 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 1.6.2015 within the stipulated time as may be fixed by this Honourable Court (W.P.No.39938 of 2016)

Directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect with Arrears Amount D.A. Arrears and others 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 1.6.2016 within the stipulated time as may be fixed by this Honourable Court (W.P.No.39939 of 2016)

Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears Amount D.A. Arrears and others 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 1.7.2016 within the stipulated time as may be fixed by this Honourable Court. (W.P.No.39940 of 2016)

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

sbi

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. Vazhuthareddy Villupuram-
605 602.
 3. The General Manager
T.N. State Transport Corporation (Villupuram) Ltd
Cuddalore Region, Cuddalore
 4. The Managing Director
T.N. State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Road,
Salem
 5. The General Manager
T.N. State Transport Corporation (Salem) Ltd.
12. Ramakrishna Road, Salem-7
 6. The Administrator
T.N. State Transport Corporation
Employees post retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai, Chennai-2
- 2 ccs to Mr.P. Kannankumar, Advocate Sr. 67170

W.P.Nos.39932 to
39940 of 2016

RV (CO)
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