

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39955 to 39959 of 2016

K.Karunamoorthy ... Petitioner in W.P.No.39955 of 2016
G.Thulasi ... Petitioner in W.P.No.39956 of 2016
K.Sivaprakasam ... Petitioner in W.P.No.39957 of 2016
A.Paul ... Petitioner in W.P.No.39958 of 2016
M.Parthasarathy ... Petitioner in W.P.No.39959 of 2016

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited Vazhuthareddy
Villupuram-605 602. ...1st Respondent in all WPs
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited Villupuram Region
Villupuram. ...2nd Respondent in W.P.No.39955
& 39956/16
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002 ... 3rd Respondents in all Wps
- 4 The General Manager,
TamilNadu State Transport Corporation,
(Villupuram) Limited, Vellore Region,
Vellore. ...2nd Respondent in W.P.No.39957/16,
39958/16 and 39959/16

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the respondents to disburse the payments relating to Gratuity Unavailed Portion Leave Salary CRBS Pension 12(3) Settlement arrears D.A. Arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.02.2016 within stipulated time as may be fixed by this Honourable Court in W.P.NO.39955 of 2016.

Prayer in W.P.39956/2016:

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity Pension Commutation Unavailed Portion Leave Salary CRBS Pension 12(3) Settlement arrears D.A. Arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.07.2016 within stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.39957/2016:

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Encashment (Earned & Old Medical Leave) Social Welfare Fund IRT amount ERBS Pension 12(3) Settlement arrears Pension arrears D.A. Arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.10.2015 within stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.39958/2016:

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Encashment (Earned & Old Medical Leave) CRBS Pension Pension arrears D.A. Arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.07.2013 within stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.39959/2016:

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Encashment (Earned & Old Medical Leave) Social Welfare Fund IRT Amount CRBS Pension 12(3) Settlement arrears Pension arrears D.A. Arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.07.2014 within stipulated time as may be fixed by this Honourable Court.

For Petitioner :Mr.J.Pradeep,
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/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 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 Villupuram Region
Villupuram.
- 3 The Administrator
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Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.
- 4 The General Manager,
TamilNadu State Transport Corporation,
(Villupuram) Limited, Vellore Region,
Vellore.

+8cc to Mr.J.Pradeep, Advocate Sr.65803, 65802
+2cc to Mr.P.Kannankumar, Advocate Sr.67174

W.P.Nos.39955 to
39959 of 2016

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srg 01/12/2016