

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39964 to 39968 of 2016

R.Sarangapani ... Petitioner W.P.No.39964 of 2016
R.Chinnathambi ... Petitioner W.P.No.39965 of 2016
G.Arumugam ... Petitioner W.P.No.39966 of 2016
M.Kaliayaperumal ... Petitioner W.P.No.39967 of 2016
G.Veerappan ... Petitioner W.P.No.39968 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 Cuddalore Region
Cuddalore
- Respondents in all the WPs

Prayer in W.P No.39964 of 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 Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement Effect & Arrears Last Month 10 Days Salary ERBS Pension Pension Arrears D.A. Arrears and all others 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 1.7.2014 within the stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.39965 of 2016:

Petition filed Under Article 226 of the Constitution of India praying to directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement Effect & Arrears Last Month

10 Days Salary ERBS Pension Pension Arrears D.A. Arrears and all others 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 1.8.2014 within the stipulated time as may be fixed by this Hon,ble Court.

Prayer in W.P.No.39966 of 2016:

Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement Effect & Arrears Last Month 10 Days Salary ERBS Pension Pension Arrears D.A. Arrears and all others 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 1.7.2014 within the stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.39967 Of 2016:

Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement Effect & Arrears Last Month 10 Days Salary ERBS Pension Pension Arrears D.A. Arrears and all others 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 1.3.2014 within the stipulated time as may be fixed by this Honourable Court.

Prayer in W.P No.39968 of 2016:

Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave) 2013 Settlement Effect & Arrears Last Month 10 Days Salary ERBS Pension Pension Arrears D.A. Arrears and all others 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 1.3.2015 within the stipulated time as may be fixed by this Honourable Court.

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/-
Assistant Registrar

//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 Cuddalore Region,
Cuddalore .

+2cc to Mr.P.Kannan kumar, Advocate Sr.67175

W.P.Nos.39964 to
39968 of 2016

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srg 30/11/2016

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