

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.11.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.40274 to 40279 of 2016

R.Palanisamy ... Petitioner in WP.40274/2016
B.Natarajan ... Petitioner in WP.40275/2016
K.Allauddin ... Petitioner in WP.40276/2016
G.Balu ... Petitioner in WP.40277/2016
P.Rajaraman ... Petitioner in WP.40278/2016
P.Selvaraj ... Petitioner in WP.40279/2016

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(villupuram) Ltd Vazhuthareddy
Villupuram- 605 602 ...1st Respondent in all the
Petitions
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Cuddalore Region
Cuddalore ...2nd Respondent in WP.Nos.
40274 to 40276/16, 40278/16
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.
... 2nd Respondent in WP.No.
40277/16, 40279/16
- 4.The Administrator, Tamil Nadu
State Transport corporation Employees Port
Retirement Welfare Fund Scheme, Thiruvalluvar House
Pallavan Salai, Chennai-600 002 ...3rd Respondent in all the
Petitions

Writ petitions filed under Article 226 of the Constitution of India, praying for Writs of mandamus

WP.No.40274/16:Directing Directing the respondents to settle the petitioners retirement benefits including Gratuity Commutation EL Surrender SL Surrender Previous EL Surrender settlement arrears pension arrears and RBS arrears with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 30.04.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court

WP.NO.40275/16:
Directing the respondents to settle the petitioner retirement benefits including Gratuity Commutation EL Surrender Previous EL Surrender RBS Amount arrears and Settlement arrears with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.07.2016 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court

WP.No.40276/16:Directing the respondents to settle the petitioner retirement benefits including Gratuity EL Surrender RBS Amount arrears and Settlement arrears with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.05.2016 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court

WP.No.40277/16:Directing the respondents to settle the petitioner retirement benefits including Gratuity Commutation EL Surrender RBS Amount DA arrears and Settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 29.02.2016 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court

WP.No.40278/16:Directing the respondents to settle the petitioners retirement benefits including Gratuity EL Surrender RBS amount arrears and settlement arrears with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.05.2016 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court

WP.No.40279/16:

Directing the respondents to settle the petitioners retirement benefits including Gratuity RBS amount and DA arrears etc with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.03.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court

For Petitioner : Mr.M.Selvam,
in all the writ petitions

For Respondents : Mr.S.Sairaman
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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

To

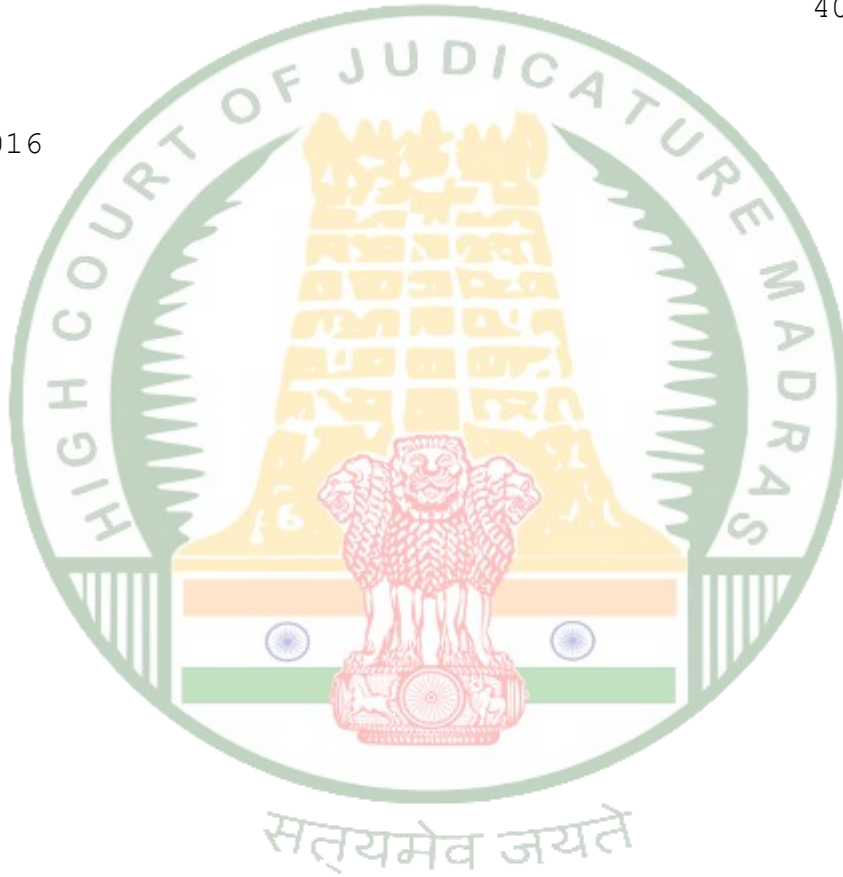
- 1 The Managing Director
Tamil Nadu State Transport Corporation
(villupuram) Ltd Vazhuthareddy Villupuram-
605 602
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Cuddalore Region Cuddalore
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement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

4. The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Cuddalore Region
Cuddalore

+6 cc to Mr.M.Selvam Advocate sr 66586
+1 cc to Mr.S.Sairaman Advocate sr 67461

W.P.Nos.40274 to
40279 of 2016

nrjk(co)
aa28/11/2016



WEB COPY