

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40322 of 2016

1 K.Elumalai
2 S.Rajendran
3 R.Venu
4 R.Vasudavan
5 T.Suresh Babu
6 J.Vivekanndan
7 P.Ekambaram
8 E.Jagadish
9 M.Dhandapani
10 C.Inbasekaran
11 K.Dass
12 S.Parasuraman
13 S.Ismail
14 P.Jayaseelan ... Petitioners.

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 Kancheepuram Division
Karapettai Kancheepuram-631 552
3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002 ... Respondents.

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the petitioners' the gratuity earned leave wages commutation pension payable to the petitioners along with interest at 18% p.a. till the date of payment by the respondents in an earlier date.

For Petitioners : Mr.VKR Balakrishnan

For Respondents : Mr.S.Sairaman

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioners joined the service of the Transport Corporation and he retired from service long before. The grievance of the petitioner is that though he retired from service long before, till date, he was not paid with the retirement benefits. In this regard, the petitioner submitted representations before the respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petition has 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 petition 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, the present writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS V)

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Sub Asst. Registrar

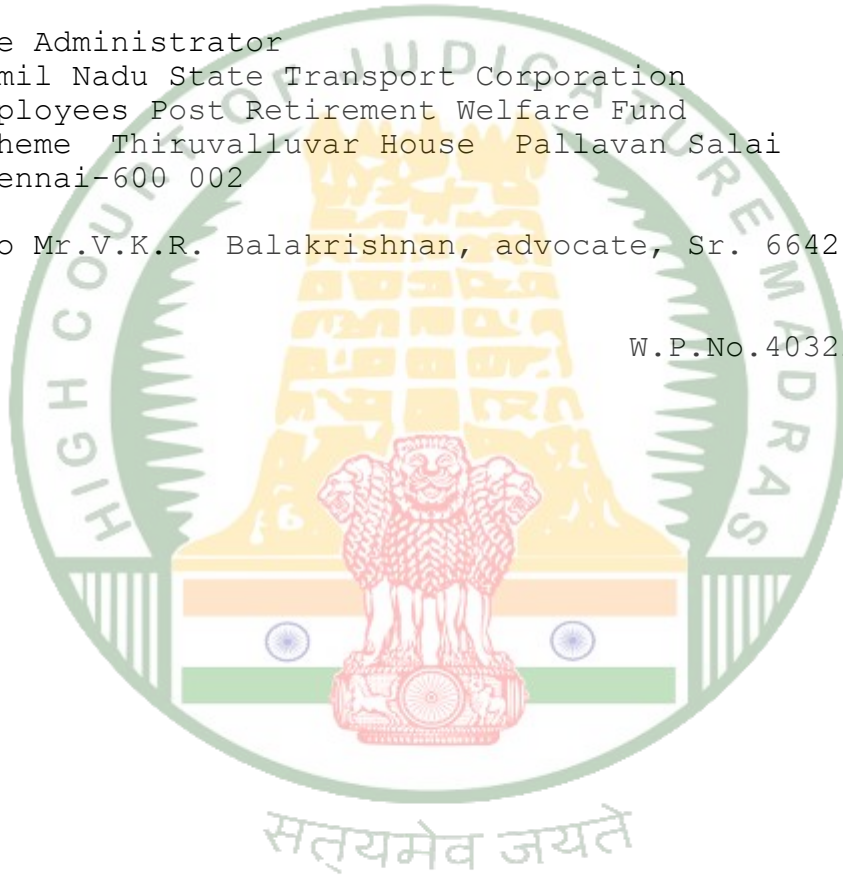
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To

- 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 Kancheepuram Division
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 - 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002
- 2 ccs to Mr.V.K.R. Balakrishnan, advocate, Sr. 66428

W.P.No.40322 of 2016

RK (CO)
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