

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.40332 to 40334 of 2016

A.Shanmugam ... Petitioner in
W.P.No.40332/2016

S.Mani ... Petitioner in
W.P.No.40333/2016

C.Muthubabu ... Petitioner in
W.P.No.40334/2016

vs.

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai 9
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd. Pallavan Salai Chennai 2
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar - House
Pallavan Salai Chennai 2 ... Respondents in
all the writ petitions

Writ petition No.40332 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs. 3 00 880/- 1998 Settlement Leave Benefit Amount of Rs.70,740/- Settlement Arrears Amount of Rs. 76 000/- Pension Arrears Amount of Rs.40 000/- Pension Commutation Amount of Rs.2,74,400/- the total comes to Rs.7 62 020/- (Rupees Seven Lakhs Sixty Two Thousand and Twenty Only) with 18% interest on delayed payment to the petitioner the Checking Inspector Staff No. C11866 who has retired from service on 31.3.2015.

Writ petition No.40333 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the

retirement benefits viz. Earned Leave Surrender Salary Amount of Rs. 3 28 730/- 1998 Settlement Leave Benefit Amount of Rs. 2 25 000/- Pension Commutation Amount of Rs.3 30 250/- IRT Contribution Amount of Rs.4 600/- the total comes to Rs.9 88 580/- (Rupees Nine Lakhs Eighty Eight Thousand Five Hundred and Eighty Only) with 18% interest on delayed payment to the petitioner the Selection Grade Machine Operator No. A11521 who has retired from service on 30.6.2015.

Writ petition No.40334 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs. 3 85 160/- 1998 Settlement Leave Benefit Amount of Rs. 15 000/- Pension Commutation Amount of Rs.3 35 250/- IRT Contribution Amount of Rs.4 600/- Social Security Scheme Fund Amount Rs.20 000/- the total comes to Rs.7 60 010/- (Rupees Seven Lakhs Sixty Thousand and Ten Only) with 18% interest on delayed payment to the petitioner the Checking Inspector Staff No. C 12388 who has retired from service on 29.2.2016.

For Petitioner : Mr.D.Veerasekaran,
in all the writ petitions

For Respondents : Mr.R.Venkatesh,
Govt. Advocate, for R1
Mr.S.Sairaman,
for R2 and R3
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, learned Government Advocate, who has taken notice on behalf of the first respondent and the learned counsel, who has taken notice on behalf of the respondents 2 and 3.

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 (CS IV)

/true copy/

Sub Asst. Registrar

To

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai 9
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd. Pallavan Salai Chennai 2
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar - House
Pallavan Salai Chennai 2

+2 cc to Mr.D.Veerasekaran,advocate,sr.66476 to 66478
+1 cc to Mr.S.Sairaman,advocate,sr.67459.

ss(co)
krd 9/12

W.P.Nos.40332 to
40334 of 2016