

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.40395 & 40396 of 2016

S.Kanagaraj ... Petitioner in
W.P.No.40395/2016

K.Sakthivel ... Petitioner in
W.P.No.40396/2016

Vs

- 1 Tamil Nadu state Transport Corporation Ltd 37 Mettupalayam Road Coimbatore - 641 043 Rep by its Managing Director
 - 2 The Administrator
The Tamil Nadu State Transport Corporation Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600002.
- ... Respondents
in W.P.No.40395/2016

- 1 Tamil Nadu state Transport Corporation Ltd 37 Mettupalayam Road Coimbatore - 641 043 Rep by its Managing Director
- Respondents in
W.P.No.40396 of 2016

W.P.No.40395 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondent to pay the petitioner all his retirement benefits including Gratuity Commutation Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement

of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Court

W.P.No.40396 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Court.

For Petitioner : Mr.A.Rajendiran
in both the writ petitions

For Respondents : Mr.P.Kannan Kumar,
in both 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, both the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1 The Managing Director
Tamil Nadu state Transport
Corporation Ltd 37 Mettupalayam Road
Coimbatore - 641 043
- 2 The Administrator
The Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600002.

+2cc to Mr.A. Rajendran, Advocate, S.R.No.66417(24/11/2016)
+2cc to Mr.P. Kannankumar, Advocate, S.R.No.67449(24/11/2016)

wmi (CO)
md(22/11/2016)

W.P.Nos.40395 & 40396 of 2016