

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.40657 & 40658 of 2016

M.Selvaraj ... Petitioner in
W.P.No.40657 of 2016

V.B.A.Ramkumar ... Petitioner in
W.P.No.40658 of 2016

Vs

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

W.P.No.40657 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Unavailed Portion Leave Salary (EL & ML) CRBS Pension D.A arrears 12(3) Settlement arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.08.2016 within stipulated time as may be fixed by this Honourable Court.

W.P.No.40658 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing directing the Respondents to disburse the payments relating to Gratuity Pension Commutation Unavailed Portion Leave Salary (EL & ML) CRBS Pension D.A arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.09.2016 within stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.J.Pradeep,
in both the WPs

For Respondents : Mr.S.Sairaman,
in both the WPs

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 respondent, 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 respondent.

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

//True Copy//

Sub Assistant Registrar

To

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

+2cc to Mr.J. Pradeep, Advocate, S.R.No.68260

nr(CO)
md(30/11/2016)

W.P.Nos.40657 & 40658 of 2016