

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.40796 and 40797 of 2016

1 R.Karunanidhi ... Petitioner in W.P.No.40796/2016

1 S.Kesavan ... Petitioner in W.P.No.40797/2016

Vs.

1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited
No.12 Ramakrishna Road
Salem-636 007

2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited
Dharmapuri Region
Dharmapuri-636 705

3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai-600 002 ... Respondents in W.P.No.40796/2016

1 The Managing Director
Tamil Nadu State Transport Corporation
(Coimbatore) Limited
No.7 Mettupalayam Road
Coimbatore

2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Erode Region, Erode

3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai-600 002 .. Respondents in W.P.No.40797/2016

Prayer in W.P.No.40796/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Provident Fund Gratuity, Pension Commutation, Leave Encashment (Earned & Medical Leave), Leave Surrender amount while in service, IRT amount, Social Welfare Fund, ERBS amount, D.A.Arrears and all other attendant benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.07.2016 within the stipulated time as may be fixed by this Honourable Court.

Prayer in W.P.No.40797/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Provident Fund, Gratuity, Pension Commutation, Leave Encashment (Earned & Medical Leave), IRT amount, D.A. Arrears, 12 (3) Settlement arrear, CRBS Pension, Pension 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 01.11.2016 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner
in both W.Ps. : Mr.J.Pradeep
For Respondents
in both W.Ps. : Mr.R.K.Gandhi

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/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

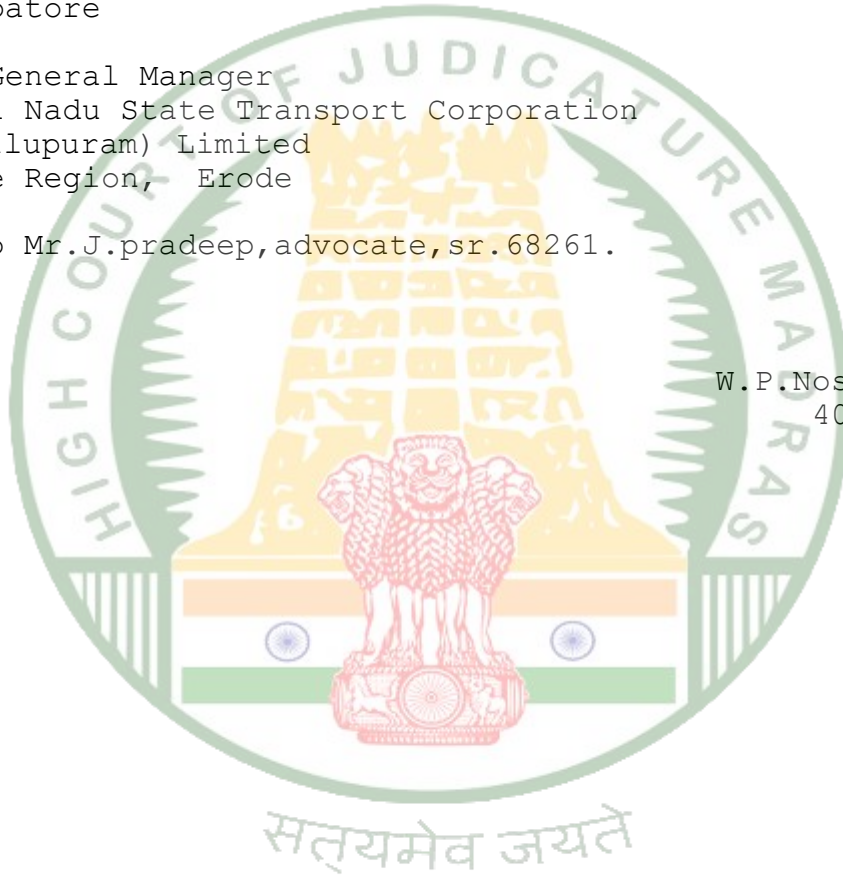
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Erode Region, Erode

+2 cc's to Mr.J.pradeep,advocate,sr.68261.

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