

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.40867 to 40869 of 2016

C.Sekar,
Staff No.TRO 518

... Petitioner in W.P.No.40867/2016

V.Rajarathinam,
Staff No.ASO151

... Petitioner in W.P.No.40868/2016

K.Ramachandran,
Staff No.CRO9201

... Petitioner in W.P.No.40869/2016

Vs.

1. The Principal Secretary to Government,
Transport Department,
Fort St.George, Chennai - 600 009.

2. The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137, Salamedu,
Valuthareddy-Post
Villupuram - 605 602.

... Respondents in W.P.40867 of 2016 &
R1 & R2 in W.Ps.40868 & 40869 of 2016

3. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar - House,
Pallavan Salai, Chennai - 600 002.

... 3rd Respondent in W.P.Nos.
40868 and 40869/2016

Prayer in W.P.No.40867 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to disburse the retirement benefits viz., Gratuity Amount of Rs.4,56,809/- (Rupees Four Lakhs Fifty Six Thousand Eight Hundred and Nine Only) with 18% interest on delayed payment to the petitioner the Senior Trades Man who has retired from service on 31.10.2012.

Prayer in W.P.No.40868 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus

directing the 2nd and 3rd respondents to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.3,97,664/-, Gratuity Amount of Rs.8,53,685/-, Leave on Private Affairs Amount of Rs.69,360/- and Pension Arrears Amount of Rs.30,897/- Difference in Commutation Amount of Rs.19,488/- the total comes to Rs.13,71,094/- (Rupees Thirteen Lakhs Seventy One Thousand and Ninety Four Only) with 18% interest on delayed payment to the petitioner the Senior Superintendent who has retired from service on 31.03.2014.

Prayer in W.P.No.40869 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.1,42,810/-, Gratuity Amount of Rs.5,93,950/-, Settlement Arrears Amount of Rs.1,20,270/-, IRT Contribution Amount of Rs.4,500/- Pension Commutation Amount of Rs.2,99,680/- the total comes to Rs.11,61,210/- (Rupees Eleven Lakhs Sixty One Thousand Two Hundred and Ten Only) with 18% interest on delayed payment to the petitioner the Special Grade Conductor who has retired from service on 31.03.2015.

For Petitioners : Mr.D.Veerasekaran

For Respondent : Mr.S.N.Parthasarathi for R1
Government Advocate
Mr.R.K.Gandhi for R2 & R3

COMMON ORDER

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2.The writ petitions have been filed seeking Mandamus directing the respondent to settle the retirement benefits, due to the petitioners, along with interest.

3.The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4.I have heard the learned counsel appearing for the petitioners, the learned Government Advocate and the learned counsel who takes notice for the respondents.

5.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).

6.Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to the petitioner 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 01.02.2017.

7.With the above direction, the present writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

pri

To

1. The Principal Secretary to Government,
Transport Department,
Fort St.George, Chennai - 600 009.
2. The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137, Salamedu, Valuthareddy-Post
Villupuram - 605 602.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar - House,
Pallavan Salai, Chennai - 600 002.

+2cc's to Mr.D.Veerasekaran, Advocate, S.R.Nos.67682 & 67684
+1cc to the Government Pleader, S.R.No.68360
+1cc to Mr.D.Veerasekaran, Advocate, S.R.No.67683(10.01.2017)

W.P.Nos.40867 to 40869 of 2016

CP(CO)
CA(19/12/2016)