

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.40953 to 40956 of 2016

C.Elumalai ... Petitioner in W.P.No.40953/2016
A.Mani ... Petitioner in W.P.No.40954/2016
R.Elumalai ... Petitioner in W.P.No.40955/2016
K.Thirunavukkarasu ... Petitioner in W.P.No.40956/2016

Vs.

- 1 Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Rep. by its Managing Director,
Head Office, Salamedu, Vazhudhareddi Post,
Villupuram - 605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Tiruvannamalai Region,
Tiruvannamalai. ... Respondents in all the W.Ps.

Prayer in W.P.No.40953 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents herein to settle all the terminal benefits, namely, Gratuity, Commutation, Earned Leave Surrender payment due to the petitioner along with interest at 12% per annum from the date of petitioner's superannuation from service within a time frame.

Prayer in W.P.No.40954 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents herein to settle all the terminal benefits, namely, Gratuity, Commutation, Earned Leave Surrender payment due to the petitioner along with interest at 12% per annum from the date of petitioner's superannuation from service within a time frame.

Prayer in W.P.No.40955 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents herein to settle all the terminal benefits, namely, Gratuity, Commutation, Earned Leave Surrender payment due to the petitioner along with interest at 12% per annum from the date of petitioner's superannuation from service within a time frame.

Prayer in W.P.No.40956 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents herein to settle all the terminal benefits, namely, Gratuity, Commutation, Earned Leave Surrender payment due to the petitioner along with interest at 12% per annum from the date of petitioner's superannuation from service within a time frame.

For Petitioners : Mr.K.M.Ramesh
For Respondent : Mr.S.Sairaman

C O M M O N O R D E R

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 at 12% per annum from the date of petitioner's superannuation from service within a time frame.

3.The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondent requesting to pay all the retirement benefits. But, the same have not been considered so far. 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 and the learned counsel who takes notice for the respondent.

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

//True Copy//

Sub Assistant Registrar

To

- 1 Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Rep. by its Managing Director,
Head Office, Salamedu, Vazhudhareddi Post,
Villupuram - 605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Tiruvannamalai Region,
Tiruvannamalai.

+4cc to Mr.K.M. Ramesh, Advocate, S.R.No.67844,67845,67846,67847

GJ(CO)
md(29/11/2016)

W.P.Nos.40953 to 40956 of 2016