

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41031 and 41032 of 2016

1 T.Thirumalai Petitioner in W.P.No.41031/2016

1 M.Akbar Khan Petitioner in W.P.No.41032/2016

Vs.

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

2 The Managing Director
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Salai
Chennai-600 002

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

... Respondents in
W.P.No.41031/2016

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-2.

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

... Respondents in
W.P.No.41032/2016

Prayer in W.P.No.41031/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd & 3rd respondents to disburse the retirement benefits Viz. Earned Leave Surrender Salary amount of Rs.4,80,000/-, Pension Commutation Amount of Rs.3,00,000/-, IRT Contribution Amount of Rs.4,600/-, Settlement Arrears amount of Rs.15,000/-, Social Security Scheme fund of Rs.20,000/- and D.A Arrears of Rs.6,000/- and the total comes to Rs.8,25,600/- (Rupees Eight Lakhs and Twenty Five Thousand and Six Hundred Only) with 18% interest on delayed payment to the petitioner the Senior Trades Man, who has retired from service on 30.04.2016.

Prayer in W.P.No.41032/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd & 3rd respondents to disburse the retirement benefits Viz. Earned Leave Surrender Salary amount of Rs.4,58,427/-, Gratuity Amount of Rs.10,00,000/-, Leave on private affairs Amount of Rs.78,141/- and Pension Arrears Amount of Rs.18,786/- the total comes to Rs.15,55,354/- (Rupees Fifteen Lakhs Fifty Five Thousand Three Hundred and Fifty Four Only) with 18% interest on delayed payment to the petitioner the Senior Superintendent, who has retired from service on 30.06.2015.

For Petitioner
in both W.Ps. :Mr.D.Veerasekaran

For Respondents
in both W.Ps. :Mr.O.Selvam,
Govt. Advocate for R1
Mr.P.Kannan Kumar
for R2 and R3

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, learned Government Advocate, who has taken notice on behalf of the first respondent and the learned counsel, who has taken notice on behalf of the respondents 2 to 4.

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

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To

- 1 The Principal Secretary to Government
Transport Department
Fort St. George
Chennai-600 009
 - 2 The Managing Director
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Salai
Chennai-600 002
 - 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai-600 002
 - 4 The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137, Salamedu, Valuthareddy Post,
Villupuram-2.
- +2cc to Mr.D.Veerasekaran, Advocate sR.68026, 68025
+3cc to Mr.PlKannankumar, Advocate sr.69290
+1cc to the Government Pleader Sr.68804, 68471

W.P.Nos.41031 and
41032 of 2016

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srg 21/12/2016

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