

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41069 & 41070 of 2016

K.M.Mani ... Petitioner in
W.P.No.41069/2016

S.Subramanian Petitioner in
W.P.No.41070/2016

Vs

1 The Managing Director
State Express Transport Corporation
(Tamilnadu) Ltd Pallavan Salai Chennai-2

2 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600002

.. Respondents
in W.P.No.41069/2016

1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram-
605 602

2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Kancheepuram Region
Kancheepuram

3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund

Scheme Thiruvalluvar House Pallavan Salai
Chennai-600002

... Respondents in
W.P.No.41070 of 2016

W.P.No.41069 of 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 Gratuity Leave Encashment (Earned Leave & Old Medical Leave) Social Security Scheme Benefits Labour Welfare Fund Engineering & Medical College share Amount and D.A. arrears Amount and all other retirement 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 01.05.2016 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.41070 of 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 Gratuity Pension Commutation Leave Encashment (Earned Leave & Old Medical Leave) 12(3) Settlement Effect with Arrears ERBS Pension Pension Arrears CI Promotion Increment DA Arrears and all other retirement 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 01.11.2015 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.G.Sakthivel,
in both the writ petitions

For Respondents : Mr.R.K. Gandhi
in both the writ petitions.

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/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi

To

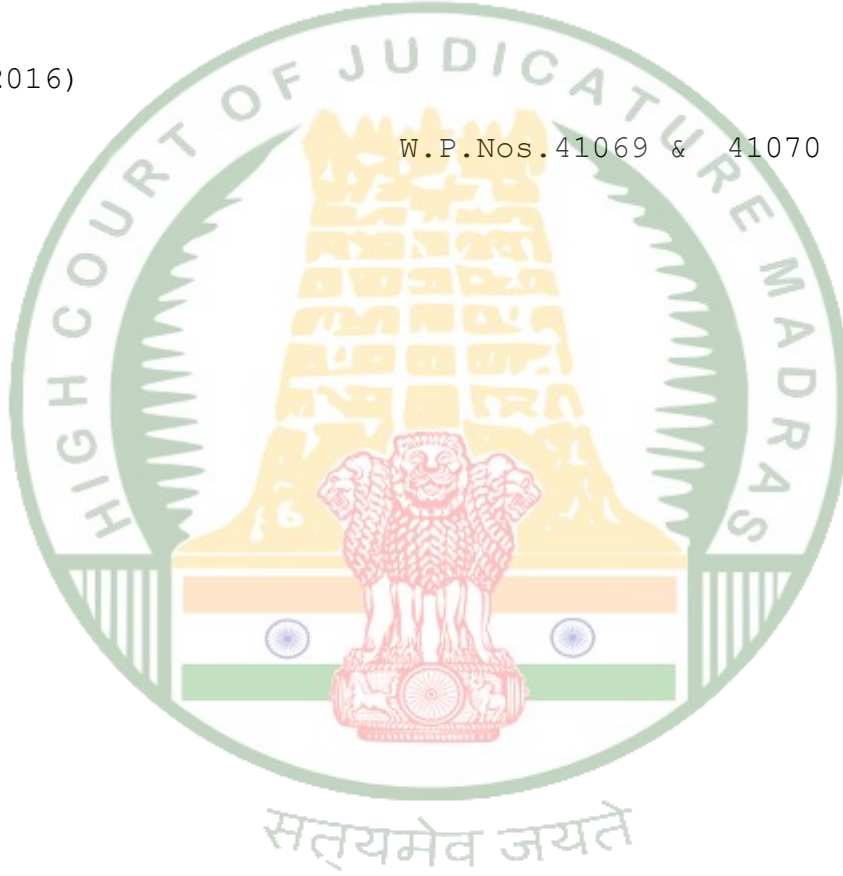
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- 4 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Kancheepuram Region
Kancheepuram

+2cc to Mr.G. Sakthivel, Advocate, S.R.No.68554

cp(CO)
md(14/12/2016)

W.P.Nos.41069 & 41070 of 2016



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