

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41191 to 41194 of 2016

R.Mani ... Petitioner in W.P.No.41191/2016
M.Thavaputhiran ... Petitioner in W.P.No.41192/2016
K.Gopi ... Petitioner in W.P.No.41193/2016
G.Sekar ... Petitioner in W.P.No.41194/2016

vs.

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.,
Vellore Region,
Vellore. 632 009 ... Respondents 1 & 2 in all W.Ps.

3.The Administrator,
Tamil Nadu State Transport
Corporation,
Employees Post Retirement Welfare
Fund Scheme,
Thiruvalluvar House,
Pallavan Salai, Chennai-2. ... 3rd Respondent in W.P.Nos.
41191 and 41192/2016

Writ Petition Nos.41191 and 41192 of 2016 have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the payments relating to gratuity, Commutation and leave encashment by calculating Dearness Allowance (DA) eligible as per newly implemented with interest at 12% p.a. with effect from 01.07.2016 within the stipulated time as may be fixed by this Court.

Writ Petition No.41193 of 2016, has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the payments relating to gratuity by calculating Dearness Allowance (DA) eligible as per newly implemented with interest at 12% p.a. with effect from 01.04.2015 within the stipulated time as may be fixed by this Court.

Writ Petition No.41194 of 2016, has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the payments relating to gratuity, Leave Surrender (Earned Leave & Old Medical Leave), 12 (3) Settlement Effect and all other benefits by calculating Dearness Allowance (DA) as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowance also, with interest at 12% p.a. with effect with Arrears, last month to days salary, pension Arrears and D.A. Arrears from 01.05.2014 within the stipulated time as may be fixed by this Court.

For Petitioners : Mr.G.Sakthivel
For Respondents : Mr.P.Kannan Kumar

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 respondent.

4. The issue involved in these 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 01.02.2017.

6. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 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.,Vellore Region
Vellore 632 009

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

+4cc to Mr.G. Sakthivel, Advocate, S.R.No.68557

vd(CO)
md(28/11/2016)

W.P.Nos.41191 to 41194 of 2016



WEB COPY