

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41275 to 41277 of 2016

R.Ramamoorthy ... Petitioner in W.P.No.41275/2016

R.Anbalagan ... Petitioner in W.P.No.41276/2016

M.Santhana Krishnan ... Petitioner in W.P.No.41277/2016

vs.

1.The Principal Secretary to Government,
Transport Department,
Fort St. George, Chennai-9. ...1st Respondent in all WP.s

2.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
3/137 Salamedu, Vazhuthareddy Post,
Villupuram-605 602. ...2nd Respondent in WP.Nos.41275
and 41276/2016

3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust, Thiruvallurvar House,
Pallavan Salai, Chennai-2. ...3rd Respondents in all W.Ps.

4 The Managing Director,
Metropolitan Transport Corporation (Chennai Ltd)
Pallavan, Salai, Chennai Chennai 600 002.
.. 2nd Respondent in WP.41277/2016.

Writ Petition No.41275 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 2 and 3 to disburse the retirement benefits viz. Earned Leave Surrender Leave salary amount of Rs.3,13,170/- Gratuity Amount of Rs.7,45,035/-, Leave on Private Affairs amount of Rs.62,634/- and Pension Arrears amount of Rs.30,897/-, Difference in commutation amount of Rs.19,488/-, the total comes to Rs.11,71,223/- (Rupees Eleven Lakhs Seventy One Thousand Two Hundred and Twenty Three Only) with 18% interest on delayed payment to the petitioner the Senior

Superintendent who has retired from service on 31.05.2013.

Writ Petition No.41276 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 2 and 3 to disburse the retirement benefits viz. Earned Leave Surrender Leave salary amount of Rs.4,66,785/- Gratuity Amount of Rs.6,61,396/-, Leave on Private Affairs amount of Rs.59,421/- and Pension Arrears amount of Rs.26,991/-, Difference in commutation amount of Rs.18,684/-, the total comes to Rs.12,33,277/- (Rupees Twelve Lakhs Thirty Three Thousand Two Hundred and Seventy Seven Only) with 18% interest on delayed payment to the petitioner the Selection Grade Superintendent who has retired from service on 31.05.2013.

Writ Petition No.41277 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 2 and 3 to disburse the retirement benefits viz. Earned Leave Surrender Leave salary amount of Rs.2,40,000/-, Pension Arrears Amount of Rs.31,000/-, Pension Commutation amount of Rs.2,72,000/-, IRT Contribution Amount of Rs.4,600/-, Settlement Arrears amount of Rs.10,000/-, Social Security Scheme Fund of Rs.20,000/- and D.A.Arrears of Rs.6,000/-, the total comes to Rs.5,83,600/- (Rupees Five Lakhs and Eighty Three Thousand and Six Hundred Only) with 18% interest on delayed payment to the petitioner the Senior Tradesman who has retired from service on 31.01.2016.

For Petitioners : Mr.D.Veerasekaran
For Respondents : Mr.O.Selvam, Govt.Advocate for R1
Mr.S.Sairaman for R2 and R3

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 Government Advocate, who has taken notice on behalf of the 1st respondent and the learned counsel, who has taken notice on behalf of the respondents 2 and 3.

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 2 and 3 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.
tsi

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
Transport Department,
Fort St. George, Chennai-9.

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

3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust, Thiruvallurvar House,
Pallavan Salai, Chennai-2.

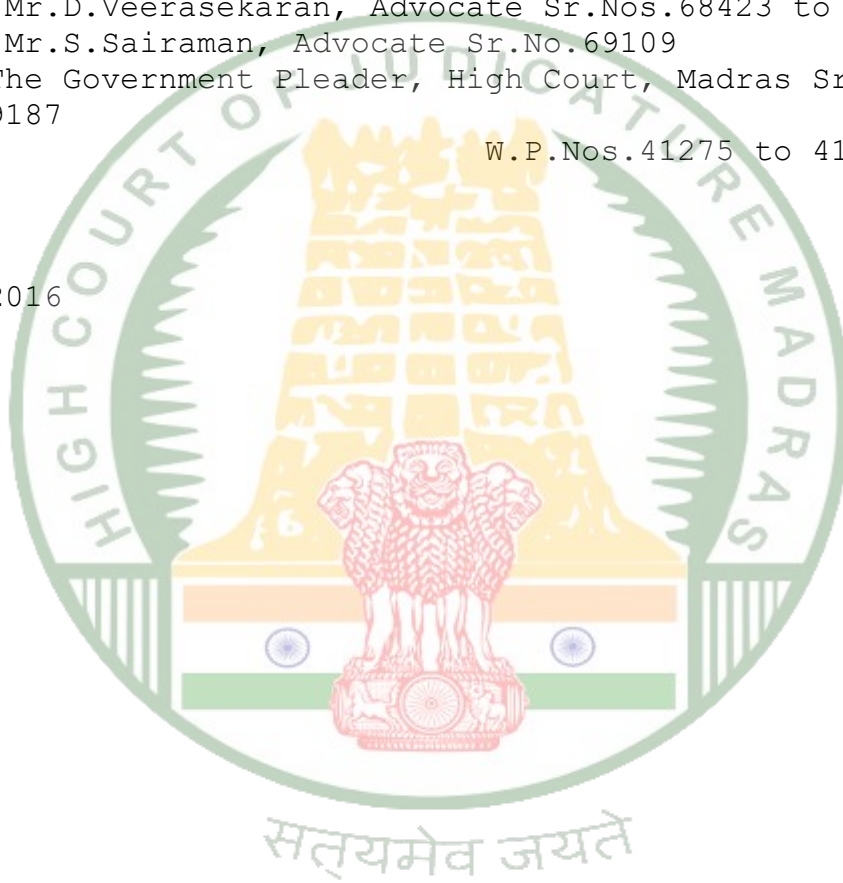
4 The Managing Director,
Metropolitan Transport Corporation (Chennai Ltd)
Pallavan, Salai, Chennai Chennai 600 002.

+ 3 cc to Mr.D.Veerasekaran, Advocate Sr.Nos.68423 to 68425
+ 1 cc to Mr.S.Sairaman, Advocate Sr.No.69109
+3 cc to The Government Pleader, High Court, Madras Sr.No.69673,
69675 & 69187

W.P.Nos.41275 to 41277/2016

CO/BR

VS 26/12/2016



WEB COPY