

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41320 and 41321 of 2016

W.P.No.41320 of 2016

R.Chinnusamy

... Petitioner

Vs.

The Managing Director,
Tamil Nadu Transport Corporation (Salem) Ltd,
12, Ramakrishna Salai, Salem 636 007.

... Respondent

Writ Petition No.41320 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 Surrender Leave Salary i.e. Earned Leave Balance as on 30.04.2011 and other monetary benefits with interest at 12% p.a. w.e.f. 01.05.2011 within a time stipulated by this Court.

W.P.No.41321 of 2016

S.Pachamuthu

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu Transport Corporation (Salem) Ltd,
12, Ramakrishna Salai, Salem 636 007.

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

... Respondents

Writ Petition No.41321 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 Provident Fund, Gratuity, Pension Commutation,

Family Welfare Fund Balance ERBS Pension arrears, Surrender Leave Salary i.e. Earned Leave Balance as on 31.03.2016, Balance Dearness Allowance, Surrender Medical Leave Salary up to 1.9.1998 by calculating D.A. eligible as per newly implemented scheme, with interest at 12% p.a. w.e.f. 01.04.2016 within a time stipulated by this Court.

For Petitioner : Mr.I.C.Vasudevan
in both the Writ Petitions

For Respondents : Mr.R.K.Gandhi

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 respondent/s.

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 respondent/s is/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, both the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

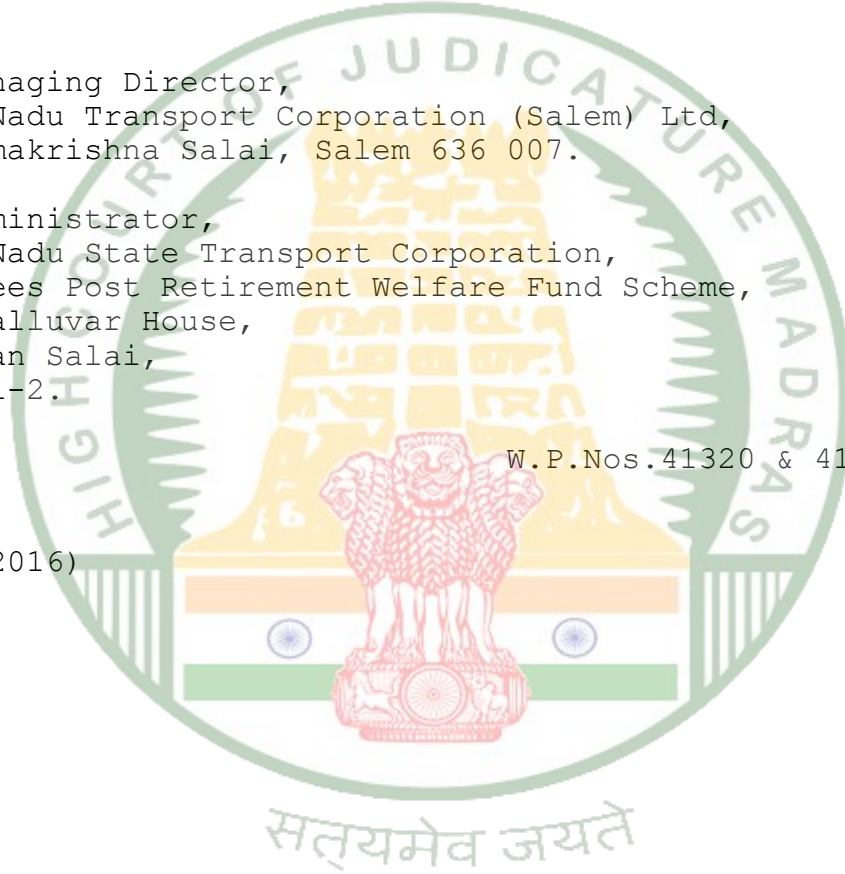
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To

1. The Managing Director,
Tamil Nadu Transport Corporation (Salem) Ltd,
12, Ramakrishna Salai, Salem 636 007.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

W.P.Nos.41320 & 41321 of 2016

KSJ(CO)
CA(21/12/2016)



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