

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41368 to 41375 of 2016

T.SOUNDARARAJAN ... PETITIONER in WP No.41368 of 2016
S.BABU ... PETITIONER in WP No.41369 of 2016
K.SANKARAN ... PETITIONER in WP No.41370 of 2016
M.R.PARAMASIVAM ... PETITIONER in WP No.41371 of 2016
S.NARAYANASAMY ... PETITIONER in WP No.41372 of 2016
K.SAMUNDESWARI ... PETITIONER in WP No.41373 of 2016
K.JANARTHANAN ... PETITIONER in WP No.41374 of 2016
R.LOGANATHAN ... PETITIONER in WP No.41375 of 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. ... RESPONDENT in WP No.41368 of 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. KANCHEPURAM REGION
KANCHEPURAM.
- 3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE PALLAVAN SALAI
CHENNAI-600 002.
... RESPONDENT in WP No.41369,41370,41371, of 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. CUDDALORE REGION
CUDDALORE. ... RESPONDENT in WP No.41372 of 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. Vellore Region Vellore.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002. ... Respondents in W.P.No.41373,
41375/16

- 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.
... RESPONDENT in WP No.41374 of 2016

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Prayer in W.P.No.41368 to 41375 of 2016:- Petitions filed under Article 226 of the constitution of India praying to issue a writ of mandamus

WP No.41368 of 2016
directing the respondents to disburse the payments relating to Gratuity, and leave Encashment, by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with

effect from 01.11.2014 within the stipulated time as may be fixed by this Honourable Court

WP No.41369 of 2016

directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, and Leave Surrender (Earned Leave & Old Medical Leave), 2013 Settlement Arrears, IRT Share Amount, Deposit Amount D.A. Arrears and all others 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

WP No.41370 of 2016

directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender (Earned Leave & 1998 Old Medical Leave), 2013 Settlement Effect with Arrears, Pension Pay in New Settlement Basic with Arrears, IRT Share Amount and all others benefits by calculating D.A. eligible as per 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 01.12.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.41371 of 2016

directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender (Earned Leave & 1998 Old Medical Leave), 2013 Settlement Effect with Arrears, Revised Grade Pay Rs.4,600 with effect from 01.09.2013, IRT Share Amount and all others benefits by calculating D.A. eligible as per 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 01.02.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.41372 of 2016

directing the respondents to disburse the payments relating to Gratuity, D.A. Arrears and all others benefits by calculating D.A. eligible as per 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 01.05.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.41373 of 2016

directing the respondents to disburse the payments relating to Gratuity, Commutation, Leave Surrender (Earned Leave & Old Medical Leave), IRT Share Amount, D.A. Arrears and all others

benefits by calculating D.A. eligible as per 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 01.01.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.41374 of 2016

directing the respondents to disburse the payments relating to Gratuity, and Leave Encashment, by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.07.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.41375 of 2016

directing the respondents to disburse the payments relating to Gratuity, Commutation, and leave Encashment, by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.06.2016 within the stipulated time as may be fixed by this Honourable Court

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

For Respondents : Mr.S.Sairaman,
in all 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, all the writ petitions are disposed of. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

sbi

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
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632 009.
- 3 THE GENERAL MANAGER
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(VILLUPURAM) LTD. KANCHEPURAM REGION,
KANCHEPURAM
4. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD. CUDDALORE REGION,
CUDDALORE

5 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE PALLAVAN SALAI
CHENNAI-600 002.

8 ccs to Mr.G. Sakthivel, Advocate, Sr. 68962

W.P.Nos.41368 to
41375 of 2016

SK (CO)
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