

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41395 to 41405 of 2016

V.Kanagarajan	... Petitioner in W.P.No.41395/16
K.Easwaran	... Petitioner in W.P.No.41396/16
N.Natarajan	... Petitioner in W.P.No.41397/16
K.Palanisamy	... Petitioner in W.P.No.41398/16
M.Krishnamoorthy	... Petitioner in W.P.No.41399/16
R.Shanmugam	... Petitioner in W.P.No.41400/16
P.Thangaraj	... Petitioner in W.P.No.41401/16
K.Thangavel	... Petitioner in W.P.No.41402/16
P.Palanisamy	... Petitioner in W.P.No.41403/16
K.Muthukaruppan	... Petitioner in W.P.No.41404/16
A.Krishna PerumalMoorthy	... Petitioner in W.P.No.41405/16

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd No.37 Mettupalayam Road
Coimbatore- 641 043
- 2 The Administrator Tamil Nadu
State Transport Corporation (Coimbatore) Ltd
Employees Post Retirement Welfare Fund
Scheme Thiruvallur House Pallavan Salai
Chennai-600 002

...Respondents in all Petitions

Writ petition No.41395 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 1st respondent herein consider and to dispose of the petitioners representation dated 30.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.03.2015 in accordance with law

within a time frame that may be fixed by this Honourable Court.

WP.No.41396/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 16.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.07.2014 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.No.41397/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 21.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.06.2013 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.No.41398/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 6.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.11.2013 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.No.41399/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 13.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.12.2012 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.No.41400/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 13.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.06.2014 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.No.41401/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 22.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.07.2014 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.NO.41402/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 13.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.03.2016 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.NO.41403/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 13.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.02.2013 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.NO.41404/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 22.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.07.2015 in accordance with law within a time frame that may be fixed by this Honourable Court

WP.No.41405/2016:Directing the 1st respondent herein consider and to dispose of the petitioners representation dated 22.09.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e. earn leave Salary D.A (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 01.07.2015 in accordance with law within a time frame that may be fixed by this Honourable Court

For Petitioner : Mr.J.Franklin,
in all the writ petitions

For Respondents : Mr.P.Kannan Kumar,
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 respondent, 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.

-s/d-
Assistant Registrar

true Copy

Sub-Assistant Registrar

sbi
To

1 The Managing Director
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd No.37 Mettupalayam Road
Coimbatore- 641 043

2 The Administrator Tamil Nadu
State Transport Corporation (Coimbatore) Ltd
Employees Post Retirement Welfare Fund
Scheme Thiruvallur House Pallavan Salai
Chennai-600 002

+2 cc to M/s.P.Kannan Kumar Advocate sr 70028

+10 ccs to M/s.J.Franklin & S.Rajkumar Advocate sr 69453 to
69462

W.P.Nos.41395 to
41405 of 2016

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