

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41552 to 41559 of 2016

K.GOPINATH ... PETITIONER in WP No.41552 of 2016
S.ALBERT ... PETITIONER in WP No.41553 of 2016
P.SREERAMAN ... PETITIONER in WP No.41554 of 2016
K.RAVI ... PETITIONER in WP No.41555 of 2016
A.JANARTHANAN ... PETITIONER in WP No.41556 of 2016
S.RAJENDRAN ... PETITIONER in WP No.41557 of 2016
D.GOVINDA REDDY ... PETITIONER in WP No.41558 of 2016
A.G.VELAYUTHAM ... PETITIONER in WP No.41559 of 2016

vs.

1 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT
CORPORATION (VILLUPURAM) LTD
VAZHUTHAREDDY
VILLUPURAM- 605 602. ...1st Respondent in all WPs.

2 THE GENERAL MANGER
TAMIL NADU STATE TRANSPORT
CORPORATION (VILLUPURAM) LTD
VELLORE REGION
VELLORE-632 009 ...2nd Respondents in WPs.41552 to
41555 and 41559/2016

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT
CORPORATION EMPLOYEES POST
RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI-600 002. ...3rd Respondent in WP.
41552 to 41558/2016

2 THE GENERAL MANGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD KANCHEEPURAM REGION
KANCHEEPURAM.

..R2 in W.P.41556/16, 41557/16,
41558/16

Petitions filed under Art.226 of the constitution of India, to issue a writ of Mandamus,

WP No.41552 of 2016: Directing the Respondents to disburse the payments relating to Gratuity amount, Pension Commutation Amount, Leave Encashment (Earned Leave & Old Medical Leave) and D.A.Arrears by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.08.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.41553 of 2016: Directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave), Revised Grade Pay, D.A.Arrears and all other 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 01.01.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.41554 of 2016: Directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave), IRT Share Amount, Settlement Effect with Arrears, D.A.Arrears and all other 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 01.11.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.41555 of 2016: Directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical Leave), D.A.Arrears and all other 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 01.08.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.41556 of 2016: Directing the Respondents to disburse the payments relating to Gratuity Commutation, Leave Surrender (Earned Leave & 1998 Old Medical Leave), Settlement Effect and all other 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 01.07.2014 within the stipulated time as may be fixed by this Honourable Court

WP No.41557 of 2016: Directing the Respondents to disburse the payments relating to Gratuity Commutation, Leave Surrender (Earned Leave), Settlement Arrears, Pension arrears for the 2 months, and all other 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 01.07.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.41558 of 2016: Directing the Respondents to disburse the payments relating to Gratuity Commutation, Leave Surrender (Earned Leave & 1998 Old Medical Leave), Settlement Effect and all other 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 01.06.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.41559 of 2016: Directing the Respondents to disburse the payments relating to Gratuity Pension Commutation, Leave Surrender (Earned Leave & Old Medical Leave), D.A Arrears and all other Retirement 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 01.02.2013 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.P.Kannan Kumar
in all the writ petitions.

COMMON ORDER

By consent, the 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 01.02.2017.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu,
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-2.

+ 8 ccs to Mr.G. Sakthivel, Advocate Sr.69869
+ 2 ccs to Mr. P. Kannan Kumar, Advocate Sr.70644

W.P.Nos.41552 to 41559/2016

SK(CO)
Eu 09.12.16



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