

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41742 to 41744 of 2016

W.P.No.41742 of 2016:

G.Natarajan Petitioner

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram -
605 602.
- 2 The General Manger
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Kancheepuram Region
Kancheepuram ... Respondents

W.P.No.41743 of 2016:

N.Dhanalakshmi ... Petitioner

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram -
605 602.
- 2 The General Manger
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Kancheepuram Region
Kancheepuram ... Respondents.

W.P.No.41744 of 2016:

N.Baby

... Petitioner

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram -
605 602.
- 2 The General Manger
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vellore Region Vellore-
632 009
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.

... Respondents

Writ petition No.41742 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse the payments relating to Gratuity 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 01.11.2012 within the stipulated time as may be fixed by this Honourable Court.

Writ petition No.41743 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & 1998 Old Medical Leave) 2013 Settlement Effect with Arrears 2013 Settlement Effect in Basic with Pension 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 01.10.2013 within the stipulated time as may be fixed by this Honourable Court.

Writ petition No.41744 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to disburse the payments relating to Gratuity Commutation Leave Encashment and all others Retirement Benefits 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.

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 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/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbi

To

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram -
605 602.
- 2 The General Manger
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Kancheepuram Region
Kancheepuram
- 3 The General Manger
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- 4 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.

+3cc to M/S.G.Sakthivel, Advocate SR.69871

W.P.Nos.41742 to
41744 of 2016

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srg 14/12/2016