

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41773 to 41775 of 2016

A.Sifatulla ... Petitioner in W.P.41773 of 2016

A.Rajakannu ... Petitioner in W.P.41774 of 2016

N.Duraisamy ... Petitioner in W.P.41775 of 2016

Vs.

1.The Managing Director  
Tamil Nadu State Transport Corporation  
(Salem) Limited  
No.12 Ramakrishna Road  
Salem-636 007.

2.The General Manager  
Tamil Nadu State Transport Corporation  
(Salem) Limited Dharmapuri Region  
Dharmapuri-636 705.

3.The Administrator  
Tamil Nadu State Transport Corporation  
Employees Post Retirement Welfare Fund  
Scheme Thiruvalluvar House  
Pallavan salai Chennai-600 002.

... Respondents in all the Writ Petitions

Writ petition No.41773 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 encashment (Earned & Old Medical Leave) ERBS Amount D.A. arrears and all other attendant 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 01.10.2012 within the stipulated time as may be fixed by this Honourable Court.

Writ petition No.41774 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 Provident Fund Gratuity Pension Commutation Leave encashment (Earned & Medical Leave) Pension arrears IRT Amount Social Welfare Fund ERBS Amount D.A. arrears and all other attendant 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 01.07.2016 within the stipulated time as may be fixed by this Honourable Court.

Writ petition No.41775 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 Provident Fund Gratuity Pension Commutation Leave encashment (Earned & Medical Leave) Leave Surrender amount while in service IRT Amount Social Welfare Fund ERBS Amount D.A. arrears and all other attendant 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 01.06.2016 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.J.Pradeep,  
in all the Writ Petitions

For Respondents : Mr.R.K.Gandhi,  
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 II)

//True Copy//

Sub Assistant Registrar

sbi

To

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Tamil Nadu State Transport Corporation  
(Salem) Limited  
No.12 Ramakrishna Road  
Salem-636 007.

2.The General Manager  
Tamil Nadu State Transport Corporation  
(Salem) Limited Dharmapuri Region  
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Tamil Nadu State Transport Corporation  
Employees Post Retirement Welfare Fund  
Scheme Thiruvalluvar House  
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+3cc's to Mr.J.Pradeep, Advocate, S.R.No.69945

W.P.Nos.41773 to 41775 of 2016

SAI(CO)  
CA(07/12/2016)