

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41849 to 41854 of 2016

V.Bakthavatchalam	..Petitioner in W.P.No.41849	2016
D.Singaram	..Petitioner in W.P.No.41850	2016
R.Gandhi	..Petitioner in W.P.No.41851	2016
P.Malararasu	..Petitioner in W.P.No.41852	2016
P. Prabakaran	..Petitioner in W.P.No.41853	2016
A.Kalaiselvan	..Petitioner in W.P.No.41854	2016

vs.

The Managing Director
Tamil Nadu State Transport
Corporation (villupuram) Ltd.
Vazhuthareddy Villupuram-
605 602.

The General Manager
Tamil Nadu State Transport Corporation
(villupuram) Ltd.
Tiruvannamalai Region
Tiruvannamalai.

..1&2 Respondents in
WP.No.41849/16,
and WP.41850/16

The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
No.12, Ramakrishnan Road,
Salem 636 007.

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

..Respondents 1&2 in
WP.41851/16 to 41854/16

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

..3rd respondent in all
above writ petitions

Writ petition No.41849 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) CRBS pension Settlement arrears Pension arrears Grade Pay increment Bonus amount D.A. arrears and last 10 days salary and other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.10.2014 within stipulated time as may be fixed by this Honourable Court.

Writ petition No.41850 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 CRBS pension Grade Pay increment D.A. arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.12.2012 within stipulated time as may be fixed by this Honourable Court.

Writ petition No.41851 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 Leave Encashment (Earned & Medical Leave) Leave Surrender amount while in service IRT amount Social Welfare fund ERBS amount D.A arrears Thrift co-operative amount 5.5 settlement arrears 5.5 pension 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 allowance also with interest at 12% per annum with effect from 01.08.2015 within stipulated time as may be fixed by this Honourable Court.

Writ petition No.41852 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 Leave Encashment (Earned & Medical Leave) Leave Surrender amount while in service IRT amount Social Welfare fund ERBS amount D.A arrears Thrift co-operative amount 5.5 settlement arrears 5.5 pension 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 allowance also with interest at 12% per annum with effect from 01.08.2015 within stipulated time as may be fixed by this Honourable Court.

Writ petition No.41852 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 Leave Encashment (Earned & Medical Leave) Leave Surrender amount while in service VRS amount IRT amount Social Welfare fund ERBS amount D.A arrears Thrift co-operative amount including interest 5.5 settlement arrears 5.5 pension 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 allowance also with interest at 12% per annum with effect from 01.11.2015 within stipulated time as may be fixed by this Honourable Court.

Writ petition No.41853 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 Leave Encashment (Earned & Medical Leave) Leave Surrender amount while in service VRS amount IRT amount Social Welfare fund ERBS amount D.A arrears Thrift co-operative amount including interest 5.5 settlement arrears 5.5 pension 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 allowance also with interest at 12% per annum with effect from 01.11.2015 within stipulated time as may be fixed by this Honourable Court.

Writ petition No.41854 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 & Medical Leave) Leave Surrender amount while in service IRT amount Social Welfare fund ERBS amount D.A arrears Thrift co-operative amount 5.5 settlement arrears 5.5 pension 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 allowance also with interest at 12% per annum with effect from 01.02.2014 within stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.J.Pradeep,
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/-
Assistant Registrar(CS III)

//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 Manager
Tamil Nadu State Transport Corporation
(villupuram) Ltd. Tiruvannamalai Region
Tiruvannamalai.
- 3 The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
No.12, Ramakrishnan Road,
Salem 636 007.
- 4 The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Dharmapuri Region,
Dharmapuri-636 705
- 5 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.

+ 1 cc to Mr.J. Pradeep, Advocate Sr.69946
+ 5 ccs to Mr.J. Pradeep, Advocate Sr.69946 (09.12.16)

सत्यमेव जयते

W.P.Nos.41849 to
41854 of 2016

PK(CO)
EU 08.12.16

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