

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.11.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.41859 to 41861 of 2016

M.Ganesan ... Petitioner in
W.P.No.41859/2016

K.Selvaraj ... Petitioner in
W.P.No.41860/2016

H.Babu ... Petitioner in
W.P.No.41861/2016

vs.

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600 009
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd Pallavan Salai Chennai-600002
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600 002

... Respondents in
all the writ petitions.

Writ petition No.41859 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary amount of Rs.3 54 600/- Pension Commutation amount of Rs.2 80 100/- IRT Contribution amount of Rs.4 360/- Social Security Scheme Fund amount Rs.20 000/- Settlement Arrears amount of Rs.10 800/- and the total comes to Rs.6 69 860/- (Rupees Six lakhs sixty nine thousand eight hundred and sixty only) with 18% interest on delayed payment to the petitioner the Special Grade Conductor Staff No. C13263 who has retired from service on 31.12.2015.

Writ petition No.41860 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the

retirement benefits viz. Earned Leave Surrender Salary amount of Rs.18 990/- Difference in Gratuity amount of Rs.20 000/- Pension Commutation amount of Rs.2 65 445/- IRT Contribution amount of Rs.4 360/- Social Security Scheme Fund amount Rs.20 000/- Settlement Arrears amount of Rs.10 800/- and the total comes to Rs.3 39 595/- (Rupees Three lakhs thirty nine thousand five hundred and ninety five only) with 18% interest on delayed payment to the petitioner the Special Grade Conductor Staff No. C13154 who has retired from service on 31.03.2016.

Writ petition No.41861 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary amount of Rs.1 37 000/- Leave on Private Affairs amount of Rs.62 000/- Pension Commutation amount of Rs.3 18 000/- Social Security Scheme Fund amount Rs.20 000/- Settlement Benefit Arrears amount of Rs.1 22 000/- and IRT Contribution amount of Rs. 2400/- and the total comes to Rs.6 61 400 (Rupees Six lakhs sixty one thousand four hundred only) with 18% interest on delayed payment to the petitioner the Traffic Inspector who has retired from service on 30.06.2014.

For Petitioner : Mr.D.Veerasekaran,
in all the writ petitions

For Respondents : Mr.R.Venkatesh,
Govt. Advocate, for R1
Mr.P.Kannan Kumar,
for R2 and R3
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, learned Government Advocate, who has taken notice

on behalf of the first respondent and the learned counsel, who has taken notice on behalf of the respondents 2 and 3.

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

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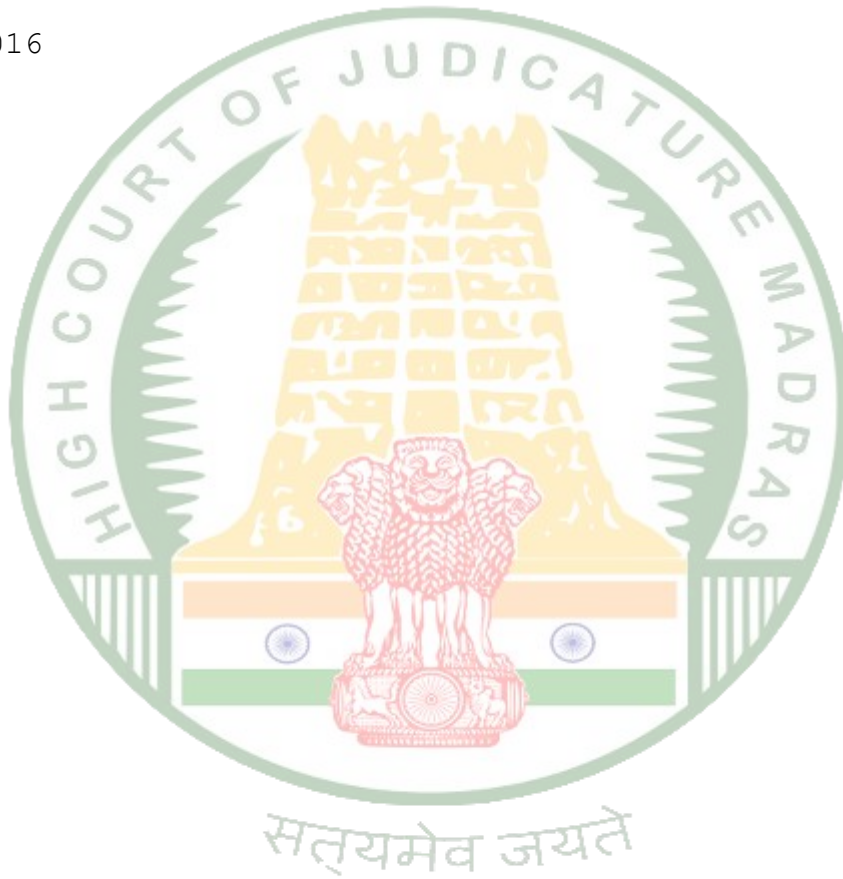
To

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Government Transport Department Fort St.
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- 2 The Managing Director
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Ltd Pallavan Salai Chennai-600002
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600 002

+1 cc to the Government Pleader sr 70600
+1 cc to Mr.D.Veerasekaran Advocate sr 69818
+1 cc to Mr.D.Veerasekaran Advocate sr 69817
+1 cc to Mr.D.Veerasekaran Advocate sr 69816

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