

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41936 to 41947 of 2016

K.Krishnasamy	...	Petitioner	in W.P.No.41936	of 2016
M.Kulandaivelu	...	Petitioner	in W.P.No.41937	of 2016
N.Chinnadurai	...	Petitioner	in W.P.No.41938	of 2016
K.Nallathambi	...	Petitioner	in W.P.No.41939	of 2016
K.Natesan	...	Petitioner	in W.P.No.41940	of 2016
R.Neelamegam	...	Petitioner	in W.P.No.41941	of 2016
R.Lakshmanan	...	Petitioner	in W.P.No.41942	of 2016
A.Nawabjan	...	Petitioner	in W.P.No.41943	of 2016
M.Duraisamy	...	Petitioner	in W.P.No.41944	of 2016
S.Sumathi	...	Petitioner	in W.P.No.41945	of 2016
C.Selvam	...	Petitioner	in W.P.No.41946	of 2016
C.Kooneshwari	...	Petitioner	in W.P.No.41947	of 2016

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem division No.12
Ramakrishna Road Post Box No.713 Salem-
636 007
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem Division No.12
Ramakrishna Road Post Box No.713 Salem-
636 007
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust Thiruvalluvar
House Pallavan Salai Chennai-600 002

... Respondents in all WPs

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents to settle the a.Payment of Gratuity b.Earned Leave c.Medical Leave & Old Medical Leave d.Payment of Commuted value of Pension e.Provident Fund f.Institute of Road and Transport Technology (IRTT) Fund g.Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court in W.P. No.41936 of 2016, 41937/16, 41940/16, 41941/16, 41942/16 and 41943/16.

2.Writ Of Mandamus directing the respondents to settle the a.Payment of Gratuity b.Earned Leave c.Medical Leave & Old Medical Leave d.Payment of Commuted value of Pension e.Institute of Road and Transport Technology (IRTT) Fund f.Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court in W.P.No.41938 of 2016.

3.Writ Of Mandamus directing the respondents to settle the a.Payment of Gratuity b.Earned Leave c.Medical Leave & Old Medical Leave d.Provident Fund e.Institute of Road and Transport Technology (IRTT) Fund f.Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court in W.P.No.41939 of 2016.

4.Writ of Mandamus directing the respondents to settle the a.Payment of Gratuity b.Payment of Commuted Value of Pension c.Institute of Road and Transport Technology (IRTT) Fund d.Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court in W.P.NO.41944 of 2016.

5.Writ of Mandamus directing the respondents to settle a.Payment of Gratuity b.Salary arrears for the petitioners husband for March 2012 c.Earned Leave d.Medical Leave & Old Medical Leave e.Payment of Commuted Value of Pension f.Monthly Family Pension arrears for the petitioner from April 2012 to June 2016 (52 months) g.Employees Provident Fund h.Institute of Road and Transport Technology (IRTT) Fund i.Employees Retirement Benefit Scheme (ERBS) J.Dearness Allowance and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court in W.P.No.41945 of 2016.

6.Writ of Mandamus directing the respondents to settle a.payment of Gratuity b.Earned Leave c.Medical Leave & Old Medical Leave d.Monthly Pension arrears for 6 months e.Payment of commuted value of pension f.Employees Provident Fund g.Institute of Road and Transport Technology (IRTT) Fund h.Employees Retirement Benefit Scheme (ERBS) I.Dearness Allowance and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court in W.P.No.41946 of 2016.

7.Writ of Mandamus directing the respondents to settle payment of a. Gratuity amount b.Earned Leave c.Medical Leave & Old Medical Leave d.Monthly Pension arrears for 7 months e.Provident Fund f.Institute of Road and Transport Technology (IRTT) Fund g.Employees Retirement Benefit Scheme (ERBS) h.Dearness Allowance and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court in W.P.No.41747 of 2016.

For Petitioner : Mr.N.Sudhagar Nagaraj
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 III)

//True Copy//

Sub Assistant Registrar

sbi

To

1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem division No.12
Ramakrishna Road Post Box No.713 Salem-
636 007

2 The General Manager
Tamil Nadu State Transport Corporation
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3 The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust Thiruvalluvar
House Pallavan Salai Chennai-600 002

+12cc to Mr.N.Sudhagar Nagaraj, Advocate Sr.71543

W.P.Nos.41936 to
41947 of 2016

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srg 04/01/2017



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