

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.42084 and 42085 of 2016

1. M.Gnanam ... Petitioner in W.P.No.42084/16
2. S.A.Nazeer ... Petitioner in W.P.No.42085/16

vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Transport Department,
Fort St. George, Chennai - 600 009.
2. The Managing Director,
State Express Transport Corporation
(TN) Ltd., Chennai - 600 002.
... Respondents in both W.Ps.

Writ petitions have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, to direct the second respondent to settle all eligible retirement benefits of the petitioners as sought for in their representations dated 22.11.2016 including interest thereto on such belated payment within a time to be stipulated by this Court.

For Petitioner
in both W.Ps. : Ms.N.R.Jasmine Padma

For R1 in both W.Ps. : Mr.K.Dhananjayan,
Special Government Pleader

For R2 in both W.Ps. : Mr.P.Kannan Kumar

COMMON ORDER

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2.The writ petitions have been filed seeking Mandamus directing the second respondent to settle the retirement benefits, due to the petitioners, along with interest.

3.The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondents requesting to pay all the retirement benefits. But, the same have not been considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4.I have heard the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for the first respondent as well as the learned counsel appearing for R2.

5.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).

6.Following the said judgment, without going into the merits of the matter, the second respondent is 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 01.02.2017.

7.With the above direction, the present writ petitions are disposed of. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1. The Principal Secretary,
Transport Department,
Fort St. George, Chennai - 600 009.

2. The Managing Director,
State Express Transport Corporation
(TN) Ltd., Chennai - 600 002.

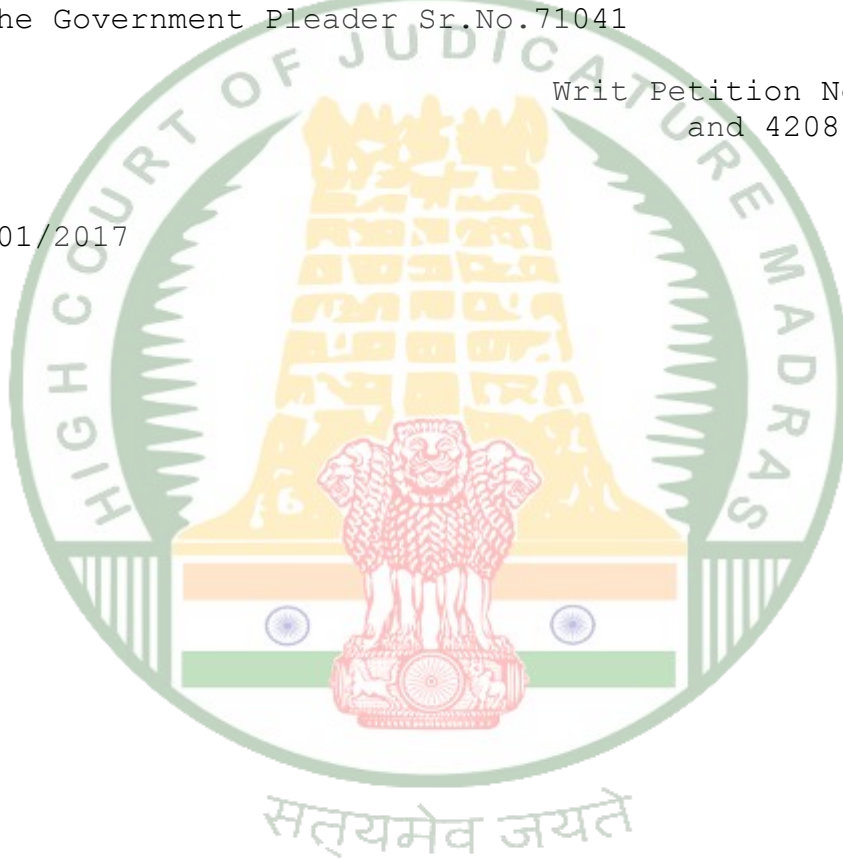
+ 2 cc to Mr.L.Chandrakumar, Advocate Sr.No.70650

+1 cc The Government Pleader Sr.No.71041

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CO/KGK

RRI 04/01/2017



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