

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.42255 to 42260 of 2016

S.Thandapani	... Petitioner in WP.42255 of 2016
R.Sekar	... Petitioner in WP.42256 of 2016
A.Srinivasan	... Petitioner in WP.42257 of 2016
R.Ramamurthi	... Petitioner in WP.42258 of 2016
R.Arumugam	... Petitioner in WP.42259 of 2016
N.Jagadeesan	... Petitioner in WP.42260 of 2016

Vs

- 1.The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited Vazhuthareddy
Villupuram 605 602
- 2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vellore Region Vellore.
- 3.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House Pallavan Salai
Chennai 2
... Respondents in W.P.42255 of 2016

- 1.The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited Vazhuthareddy
Villupuram 605 602
- 2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vellore Region Vellore.
... Respondents in W.Ps.42256 to 42260 of 2016

Writ Petitions filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus,

W.P.No.42255 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, Leave Surrender (Earned Leave and Old Medical Leave), ERBS Pension, Last Month 10 days Salary D.A. Arrears and all other benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.6.2015 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.42256 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, D.A. Arrears and all other Retirement benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.10.2012 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.42257 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, ERBS Pension, D.A. Arrears and all other Retirement benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.9.2012 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.42258 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, ERBS Pension, D.A. Arrears and all other Retirement benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.9.2012 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.42259 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, Leave Surrender (Earned Leave and Old Medical Leave), 12 (3) 2013 Settlement Effect with Arrears ERBS Pension, D.A. Arrears and all other Retirement benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.6.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.42260 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, Leave Surrender (Earned Leave and Old Medical Leave), ERBS Pension, D.A. Arrears and all other Retirement benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.5.2015 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.G.Sakthivel
in all the Writ Petitions

For Respondents : Mr.P.Kannan Kumar,
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 VII)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited Vazhuthareddy
Villupuram 605 602
2. The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vellore Region Vellore
3. The Administrator
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Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House Pallavan Salai
Chennai 2

+6cc's to Mr.G.Sakthivel, Advocate, S.R.No.70780

W.P.Nos.42255 to 42260 of 2016

MV(CO)
CA(22/12/2016)

सत्यमेव जयते

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