

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.42411 to 42415 of 2016

W.P.No.42411 of 2016:

C.Bhoopathi ... Petitioner in WP.No.42411/2016
E. Velayutham ... Petitioner in WP.No.42412/2016
P. Sampath ... Petitioner in WP.No.42413/2016
K. Anbazhagan ... Petitioner in WP.No.42414/2016
G. Balanagan ... Petitioner in WP.No.42415/2016

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 Kancheepuram Region
Kancheepuram
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002 ... Respondents WP.No.42411,42412/2016

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,
Kancheepuram Region
Kancheepuram

Respondent in Wp.No.142413/2016

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,
Kanchepuram Region
Kanchepuram

3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002 Respondents in WP.Nos.42414 to 42415/2016

Writ petition No.42411,42412 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 Pension Commutation and Leave Surrender (Earned Leave & Old Medical Leave) IRT Share Amount and all others benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.09.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.42413/2016

A Writ of Mandamus or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus Directing the respondents to disburse the payments relating to Gratuity Leave Surrender (Earned Leave & Old Medical) 12(3) 2013 Settlement Effect with Arrears D.A. Arrears and all others benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.10.2013 within the stipulated time as may be fixed by this Honourable Court.

WP.No.42414/2016

A Writ of Mandamus or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus Directing the respondents to disburse the payments relating to Gratuity Pension Commutation and Leave Surrender (Earned Leave & Old Medical Leave) Settlement effect and Arrears Revised D.A and all others benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with

interest at 12% per annum with effect from 01.05.2016 within the stipulated time as may be fixed by this Honourable Court

WP.No.42415/2016

A Writ of Mandamus or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus Directing the respondents to disburse the payments relating to Gratuity Commutation Leave Surrender (Earned Leave & 98 Old Medical) Revised Grade Pay as per (Ms) No.81 dated 16.09.2016 12(3) 2013 Settlement effect with Arrears IRT Share Amount and all others benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.06.2016 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

//True Copy//

Sub Assistant Registrar



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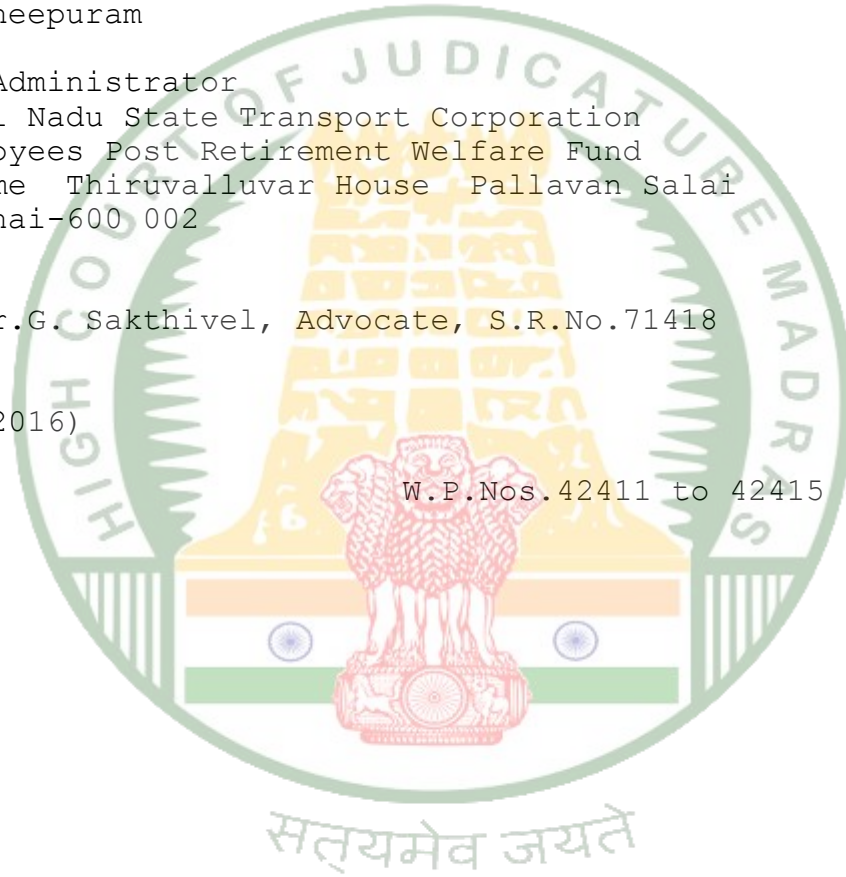
To

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited Vazhuthareddy
Villupuram-605 602
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(Villupuram) Limited Kancheepuram Region
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Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002

+5cc to Mr.G. Sakthivel, Advocate, S.R.No.71418

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W.P.Nos.42411 to 42415 of 2016



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