

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.4927 & 4928 of 2016

N.Venugopal
S.Sathappan

...Petitioner in W.P.4927/16
...Petitioner in W.P.4928/16

-Vs-

1. The Secretary
Tamil Nadu Transport Department
Secretariat, Chennai 600 009
2. The Manager
Tamil Nadu State Transport Corporation
Employees Pension Department
Thiruvalluvar Illam
Pallavan Salai, Chennai 600 002
3. The Managing Director
Tamil Nadu State Transport Corporation
No.27, Railway Station New Road
Kumbakonam 612 001
4. The General Manager
Tamil Nadu State Transport Corporation
No.27, Railway Station New Road
Kumbakonam, Thanjavur District
5. The General Manager
Tamil Nadu State Transport Corporation
Nagapattinam
Nagapattinam District

...Respondents 1 to 5 in
both the W.Ps

Petitions under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
respondents to settle the entire retirement amount within a
stipulated time with interest for the payments.

For Petitioners : Mr.K.M.Subrahmaniam

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader for R1
Mr.P.Paramasivadosh for R2 to R5

ORDER

Both the writ petitions have been filed seeking for issuance of a writ of mandamus, directing the respondents to settle the entire retirement benefits due and payable to the petitioners with interest within the time limit stipulated by this Hon'ble Court.

2. Heard the learned counsel for the petitioners. Mr.R.Vijayakumar, learned Additional Government Pleader takes notice on behalf of the first respondent and Mr.P.Paramasivados, learned counsel takes notice on behalf of the respondents 2 to 5.

3. Mr.N.Venugopal, the petitioner in W.P.No.4927 of 2016, joined as Craftsman in the erstwhile Chozhan Transport Corporation, Kumbakonam on 1.1.86 and retired as Special Grade Technical Assistant on 31.5.2015 on reaching the age of superannuation. Mr.S.Sathappan, the petitioner in W.P.No.4928 of 2016, joined as Conductor in the respondent Corporation and he retired as Checking Inspector on 31.7.2015 on reaching the age of superannuation. Hence the grievance of the petitioners is that their terminal benefits, namely, gratuity, pension, earned leave salary etc., have not been till date settled to them.

4. Since the issue is squarely covered by the various orders passed by this Court, in the light of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others), these writ petitions are disposed of with a direction to the respondents to settle the entire terminal benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from March, 2016 and each of the instalments should be paid on or before 7th of each month. In case of any delay in the payment of the instalments, the interest payable would become 18% p.a. for the delayed period apart from any other remedy which may be available to the petitioners for such non-payment of the instalments. Consequently, W.M.P.Nos.4275 & 4276 of 2016 are closed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary
Tamil Nadu Transport Department
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Chennai 600 009
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Tamil Nadu State Transport Corporation
Employees Pension Department
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5. The General Manager
Tamil Nadu State Transport Corporation
Nagapattinam
Nagapattinam District

+2cc's to Mr.K.M.Subrahmaniam, Advocate, S.R.Nos.8608 & 8609
+1cc to the Government Pleader, S.R.No.8822

सत्यमेव जयते

W.P.Nos.4927 & 4928 of 2016

MG (CO)
CA(10/03/2016)

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