

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.5945 to 5947 of 2016

P.Manickam .. Petitioner in W.P.No.5945 of 2016
G.Mani .. Petitioner in W.P.No.5946 of 2016
K.Asalam .. Petitioner in W.P.No.5947 of 2016

-vs-

1. The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road
Salem 636 007
2. The Administrator
Tamil Nadu State Transport
Corporation Employees
Post Retirement Welfare
Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai 600 002 ... Respondents 1 & 2 in all the writ
petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, Commutation, Family Welfare Fund, Earned Leave, leave encashment, IRT amount and arrears of salary by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.07.2014, 01.03.2014 & 01.03.2015 respectively, within the stipulated time as may be fixed by this Hon'ble Court.

For Petitioners :: Mr.J.Pradeep
For Respondents :: Mr.P.Paramasivadoss

ORDER

These writ petitions have been filed seeking for issuance of a writ of mandamus, directing the respondents to disburse the entire retirement benefits due and payable to the petitioners with interest within the time limit that may be stipulated by this Court.

2. Heard the learned counsel for the petitioners. Mr.P.Paramasivados, learned counsel takes notice on behalf of the respondents.

3. Mr.P.Manickam, the petitioner in W.P.No.5945 of 2016, joined as Craftsman on 13.9.78 and retired as Foreman in the first respondent Corporation on 30.6.2014 on reaching the age of superannuation. Mr.G.Mani, the petitioner in W.P.No.5946 of 2016, joined as Record Clerk on 25.11.81 and retired as Senior Assistant in the first respondent Corporation on 28.2.2014 on reaching the age of superannuation. Mr.K.Asram, the petitioner in W.P.No.5947 of 2016, joined as Record Clerk on 1.1.86 and retired as Senior Assistant in the first respondent Corporation on 28.2.2015 on reaching the age of superannuation. They were drawing a sum of Rs.37,661/-, Rs.29,439/- and Rs.35,544/- respectively at the time of retirement. Now the grievance of the petitioners is that their terminal benefits, namely, Gratuity, Commutation, Family Welfare Fund, Earned Leave, IRT amount, arrears of salary etc., have not been till date disbursed to them. Hence they have come to this Court.

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 disburse 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. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport,
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem 636 007.

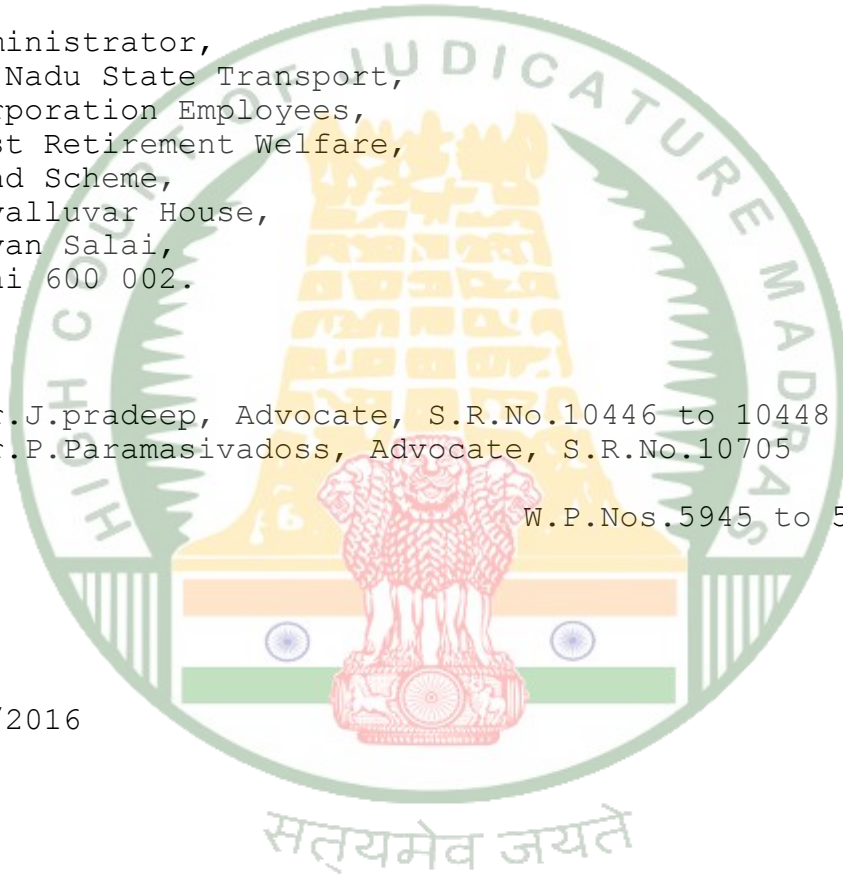
2. The Administrator,
Tamil Nadu State Transport,
Corporation Employees,
Post Retirement Welfare,
Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002.

+3cc to Mr.J.pradeep, Advocate, S.R.No.10446 to 10448

+1cc to Mr.P.Paramasivadoss, Advocate, S.R.No.10705

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SV[CO]
SRG 16/03/2016



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