

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.8445 to 8447 of 2016

T.Jeyabalan	..Petitioner in W.P.No.8445 of 2016
R.Mani	..Petitioner in W.P.No.8446 of 2016
G.Kuppusamy	..Petitioner in W.P.No.8447 of 2016

-vs-

1. The Government of Tamil Nadu
rep.by its Principal Secretary
Transport Department
Secretariat, Fort St.George,
Chennai 600 009
2. State Express Transport Corporation Ltd.,
(Old Name Thiruvalluvar Transport
Corporation Ltd.) rep.by its
Managing Director
Pallavan Salai
Chennai 600 002
3. The Financial Advisor & Chief
Accounts Officer
Tamil Nadu State Transport
Corporation (VPM) Ltd.,
3/137, Salamedu
Valuthareddy Post
Villupuram 605 602 ..Respondents 1 to 3 in all the W.Ps.
4. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House
Pallavan Salai ..Respondent No.4 in W.P.Nos.8445 &
Chennai 600 002 8447 of 2016

W.P.No.8445 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 2 to 4 to settle the petitioner's retirement benefits such as Provident Fund, Commutation of Pension, Encashment of leave salary with leave on private affairs, Social security scheme and Engineering and Medical College Subscription Amount with 18% interest on delayed payment to the petitioner from 30.04.2014, the date of

retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in WA (MD)Nos.383 to 457 of 2015 dated 12.06.2015.

W.P.No.8446 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 2 & 3 to settle the petitioner's retirement benefits such as Encashment of leave salary with leave on private affairs and Gratuity (Balance) Amount with 18% interest on delayed payment to the petitioner from 31.01.2011, the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in WA(MD)Nos.383 to 457 of 2015 dated 12.06.2015.

W.P.No.8447 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 2 to 4 to settle the petitioner's retirement benefits such as Provident Fund, Commutation of Pension, Encashment of leave salary, Social Security Scheme, Difference of Gratuity amount and Engineering and Medical College Subscription Amount with 18% interest on delayed payment to the petitioner from 30.09.2014, the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in WA (MD)Nos.383 to 457 of 2015 dated 12.06.2015.

For Petitioners:: Mr.V.S.Jagadeesan

For Respondents:: Mr.S.Gunasekaran
Additional Government Pleader for R1
Mr.P.Kannan Kumar for R2 to R4

ORDER

The petitioners have filed these writ petitions for issuance of a writ of mandamus directing the respondents to settle all the terminal benefits due and payable to them with interest at the rate of 12% per annum payable from the date of retirement, within the time that may be stipulated by this Hon'ble Court.

2. Heard the learned counsel for the petitioners. Mr.S.Gunasekaran, learned Additional Government Pleader takes notice on behalf of the first respondent and Mr.P.Kannan Kumar, learned counsel takes notice on behalf of the other respondents.

3. Mr.T.Jeyabalan, the petitioner in W.P.No.8445 of 2016, joined as Junior Assistant on 4.9.81 in the respondent Transport Corporation and retired as Senior Superintendent on 30.4.2014, on reaching the age of superannuation. Mr.R.Mani, the petitioner in W.P.No.8446 of 2016, joined as Junior Assistant on 27.7.80 in the respondent Transport Corporation and retired as Superintendent on 31.1.2011, on reaching the age of superannuation. Mr.G.Kuppusamy, the petitioner in W.P.No.8447 of

2016, joined as Security Guard on 12.11.79 in the respondent Transport Corporation and retired as Security Inspector on 30.9.2014, on reaching the age of superannuation. Now the grievance of the petitioners is that the terminal benefits, namely, gratuity, commutation of pension, surrender leave salary, etc., have not been settled till date by the respondents 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 2 to 4/respondents 2 & 3 to settle the entire terminal benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% per annum. The instalments should commence from April, 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(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government
Transport Department
Secretariat, Fort St.George,
Chennai 600 009
2. The Managing Director
State Express Transport Corporation Ltd.,
(Old Name Thiruvalluvar Transport
Corporation Ltd.)
Pallavan Salai
Chennai 600 002
3. The Financial Advisor & Chief
Accounts Officer
Tamil Nadu State Transport
Corporation (VPM) Ltd.,

3/137, Salamedu
Valuthareddy Post
Villupuram 605 602

4. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai 600 002

+3ccs to M/s. V. S. Jagadeesan, Advocate, S.R.No.14400

+1cc to the Government Pleader, S.R.No.14633

SAI(CO)
EU(31/03/2016)

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