

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.10150 to 10154 of 2017

V.Gopu	..	Petitioner in W.P.No.10150 of 2017
C.S.Panneer Selvam	..	Petitioner in W.P.No.10151 of 2017
K.Sridhar	..	Petitioner in W.P.No.10152 of 2017
V.Kalpana	..	Petitioner in W.P.No.10153 of 2017
M.K.Gurumurthy	..	Petitioner in W.P.No.10154 of 2017

-vs-

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009 ..1st Respondent in all the writ petitions
2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai
Chennai 600 002 ..2nd Respondent in all the writ petitions
3. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House,
Pallavan Salai 3rd Respondent in W.P.Nos.10151 &
Chennai 600 002 10153 of 2017

W.P.No.10150 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.7,16,000/-, Leave on Private Affairs Amount of Rs.73,900/-, Social Security Scheme Fund Amount of Rs.20,000/- and IRT Contribution amount of Rs.4,600/-, the total comes to Rs.8,14,500/- (Rupees Eight Lakhs Fourteen Thousand and Five hundred only) with 18% interest on delayed payment to the petitioner the Selection Grade Superintendent who has retired from service on 30.6.2016.

W.P.No.10151 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second & third respondents to disburse the retirement benefits viz., Earned Leave Surrender Salary

Amount of Rs.1,64,500/-, Pension Commutation Amount Rs.3,27,400/-, Leave on Private Affairs Amount of Rs.70,500/- and IRT Contribution amount of Rs.4,600/-, the total comes to Rs.5,67,000/- (Rupees Five Lakhs Sixty Seven Thousand only) with 18% interest on delayed payment to the petitioner the Superintendent who has retired from service on 31.10.2015.

W.P.No.10152 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.6,13,600/-, Leave on Private Affairs Amount of Rs.83,200/-, Social Security Scheme Fund Amount of Rs.20,000/- and IRT Contribution amount of Rs.4,600/-, the total comes to Rs.7,21,400/- (Rupees Seven Lakhs Twenty one thousand and Four hundred only) with 18% interest on delayed payment to the petitioner the Senior Superintendent who has retired from service on 28.2.2017.

W.P.No.10153 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second and third respondents to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.4,45,800/-, Pension Commutation Amount of Rs.4,20,000/-, Leave on Private Affairs Amount of Rs.83,600/- and IRT Contribution amount of Rs.4,600/- and the total comes to Rs.9,54,000/- (Rupees Nine Lakhs Fifty four Thousand only) with 18% interest on delayed payment to the petitioner the Assistant Manager Staff No.A13306 who has retired from service on 31.8.2014.

W.P.No.10154 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.4,95,800/-, Leave on Private Affairs Amount of Rs.92,900/-, IRT Contribution amount of Rs.4,600/- and the total comes to Rs.5,93,300/- (Rupees Five Lakhs Ninety Three thousand three hundred only) with 18% interest on delayed payment to the petitioner the Assistant Manager Staff No.A13714 who has retired from service on 31.1.2016.

For Petitioners :: Mr.D.Veerasekaran

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader for R1
Mr.P.Kannankumar for R2 & 3 in
the respective writ petitions

ORDER

The petitioners, having retired from service as
Selection Grade Superintendent/Superintendent/Senior

Superintendent/Assistant Manager in the respondent Corporation on 30.6.2016, 31.10.2015, 28.2.2017, 31.8.2014 31.1.2016 respectively, have filed these writ petitions seeking a direction to the respondents to settle the retirement benefits payable to them, namely, Earned Leave Surrender Salary, Leave on Private Affairs amount, Social Security Scheme Fund amount and IRT Contribution amount, as prayed for in the writ petitions, with interest at 18% per annum.

2. The learned standing counsel for the Transport Corporation submitted that since there has been a direction issued by the Hon'ble Division Bench in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 directing the Corporation to disburse all the retiral benefits in twelve equal monthly instalments with 6% interest per annum, a similar direction may be issued in these writ petitions also.

3. This Court, recording the statement made by the learned standing counsel for the respondent Corporation, taking note 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) directing the respondents to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondents to settle the entire retirement benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from July, 2017 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. With this direction, the writ petitions are disposed of accordingly. No costs.

सत्यमेव जयते

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Assistant Registrar

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Sub Assistant Registrar

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To

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009

2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai, Chennai 600 002

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

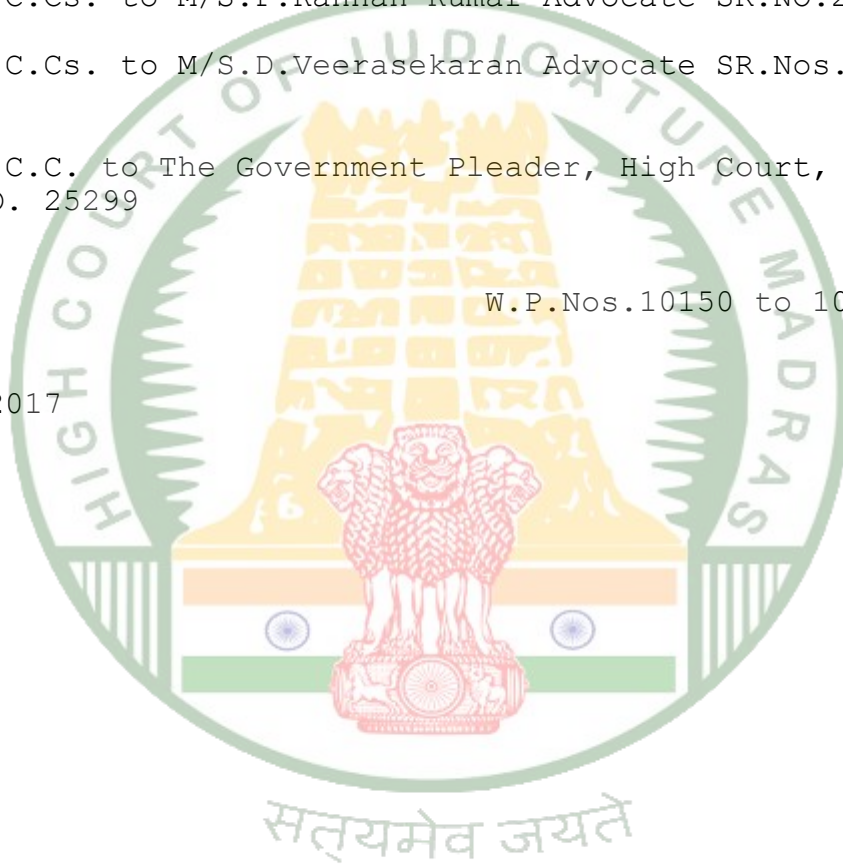
+5 C.Cs. to M/S.P.Kannan Kumar Advocate SR.NO.25927

+5 C.Cs. to M/S.D.Veerasekaran Advocate SR.Nos.24845 to
24849

+1 C.C. to The Government Pleader, High Court, Madras
104, SR.NO. 25299

W.P.Nos.10150 to 10154 of 2017

RSK (CO)
VS 12.05.2017



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