

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.10155 to 10159 of 2017

A.Srinivasan	.. Petitioner in WP 10155 of 2017
S.P. Mariappan	.. Petitioner in WP 10156 of 2017
P.Jayapalan	.. Petitioner in WP 10157 of 2017
S.P. Duraisamy	.. Petitioner in WP 10158 of 2017
T.Agilandam	.. Petitioner in WP 10159 of 2017

-Vs-

1. The Government of Tamil Nadu,
Represented by its
Secretary to Government
Transport Department
Secretariat
Chennai 600 009.
 2. The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem Division, No.12, Ramakrishna Road
Post Box No.713
Salem 636 007.
 3. The General Manager
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem Division, No.12, Ramakrishna Road
Post Box No.713
Salem 636 007.
 4. The Administrator
Tamil Nadu State Transport
Cooperation Employees Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai 600 002.
- ..Respondents in all WP's

W.P.No.10155 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents to pay pension forthwith for the period from 1.6.1999 to till date with reasonable rate of interest payable to the petitioner and consider the petitioner's representation dated 20.2.2017.

W.P.No.10156 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents to pay pension forthwith for the period from 1.9.2000 to 31.7.2016 with reasonable rate of interest payable to the petitioner and consider the petitioner's representation dated 20.2.2017.

W.P.No.10157 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents to pay pension forthwith for the period from 1.10.1999 to 31.7.2016 with reasonable rate of interest payable to the petitioner and consider the petitioner's representation dated 20.2.2017.

W.P.No.10158 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents to pay pension forthwith for the period from 1.1.2001 to 31.7.2016 with reasonable rate of interest payable to the petitioner and consider the petitioner's representation dated 20.2.2017.

W.P.No.10159 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents to pay pension forthwith for the period from 1.10.2003 to 1.8.2015 with reasonable rate of interest payable to the petitioner and consider the petitioner's representation dated 20.2.2017.

For Petitioners :: Mr.N.Sudhagar Nagaraj in all
Petitioners

For Respondents :: Mr.T. Pappiah,
Special Government Pleader
for R1 in all Petitioners

Mr.P. Paramasivadosh
for R2 to R4 in all Petitioners

ORDER

The petitioners, having voluntarily retired from service as Conductor/Driver in the respondent Corporation on 31.5.1999, 31.8.2000, 30.9.1999, 31.12.2000, 31.5.2002, respectively, have filed these writ petitions seeking a direction to the respondent to settle the terminal benefits payable to them, as prayed for in the petitions, with reasonable rate of interest per annum, by considering their representations dated 20.2.2017.

2. Mr.P.Paramasivadosh 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 retirement 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 Transport 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., by considering their representations. 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.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

gmd/ss

To

1. The Secretary to Government
Transport Department
Secretariat
Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem Division, No.12, Ramakrishna Road
Post Box No.713
Salem 636 007.

3. The General Manager
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem Division, No.12, Ramakrishna Road
Post Box No.713
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4. The Administrator
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai 600 002.

+1cc to the Government Pleader Sr. 25300

+5ccs to M/S.N. Sudhagar Nagaraj, Advocate Sr. 25111

W.P.Nos.10155 to 10159 of 2017

RJ(CO)
VR(5/5/2017)



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