

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.10229 to 10231 of 2017

D.Mani .. Petitioner in WP 10229 of 2017
K.Sundaram .. Petitioner in WP 10230 of 2017
S.Settu .. Petitioner in WP 10231 of 2017

-Vs-

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Villupuram.
2. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai 600 002. 1st & 2nd respondents in WP 10229 of 2017
3. The General Manager
Tamil Nadu State Transport
Corporation (Coimbatore) Limited
Chennimalai Road
Erode. Respondent in WP 10230 of 2017
4. The Managing Director
Tamil Nadu State Transport
37, Mettupalayam Road
Coimbatore. Respondent in WP 10231 of 2017

W.P.No.10229 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 disburse the payments relating to Pension Commutation, the surrender Leave salary i.e Earned Leave balance as on 30.6.2016, Gratuity and other monetary benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.07.2016 within stipulated time as may be fixed by this Hon'ble Court.

W.P.No.10230 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondent to disburse the payments relating to surrender Leave salary i.e Earned Leave balance as on 31.7.2013 by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.08.2013 within stipulated time as may be fixed by this Hon'ble Court.

W.P.No.10231 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 disburse the payments relating to surrender Leave salary i.e Earned Leave balance as on 30.4.2013 by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.05.2013 within stipulated time as may be fixed by this Hon'ble Court.

For Petitioners :: Mr.I.C.Vasudevan
All the petitions

For Respondent(s) :: Mr.P.Kannan Kumar
All the petitions

ORDER

The petitioners, having retired from service as Senior Checking Inspector/Special Grade Conductor in the respondent Corporation on 30.6.2016, 31.7.2013, 30.4.2013 respectively, have filed these writ petitions seeking a direction to the respondent(s) to settle the terminal benefits payable to them, as prayed for in the petitions, by considering their representations dated 22.9.2016, 4.4.2017 & 28.3.2017.

2. Mr.P.Kannan Kumar, 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 respondent(s) 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/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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Erode.
4. The Managing Director
Tamil Nadu State Transport
37, Mettupalayam Road
Coimbatore.

+1cc to Mr.P.kannan kumar, Advocate SR.No.25934

+3cc to Nr.I.C.Vasudevan, Advocate SR.No.25073, 25074 & 25076

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SDR 11.05.2017