

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.10403 to 10406 of 2017

N.Munirathinam ..Petitioner in WP 10403 of 2017
K.Meganathan ..Petitioner in WP 10404 of 2017
K.J.Pailochan ..Petitioner in WP 10405 of 2017
R.S.Dakshinamoorthy ..Petitioner in WP 10406 of 2017

-Vs-

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy
Villupuram 605 602.
2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vellore Region
Vellore 632 009.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai 600 002. .. Respondents in WP Nos.10403 to
10405 of 2017
4. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy
Villupuram 605 602.
5. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vellore Region
Vellore 632 009. .. Respondents 1 & 2
in WP 10406 of 2017

W.P.No.10403 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 Gratuity, Pension Commutation, Leave surrender, (Earned Leave & Old Medical Leave), D.A. arrears, IRT amount, CRBS pension and settlement arrear by by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.10.2016 within the stipulated time fixed by this Court.

W.P.No.10404 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 Gratuity Commutation, Leave salary (Earned Leave & Old Medical Leave), ERBS pension, D.A. Arrears and all other retirement Benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.11.2016 within the stipulated time fixed by this Court.

W.P.No.10405 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 Gratuity, Leave Surrender, Earned Leave Salary in the year 2014-2015, Last month 10 days salary, PRPF pension and all other benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowance also, with interest at 12% per annum with effect from 01.01.2017 within the stipulated time fixed by this Court.

W.P.No.10406 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 Gratuity, D.A, effect with arrears and all other benefits by calculating D.A. eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.11.2012 within the stipulated time fixed by this Court.

For Petitioners :: Mr.G.Sakthivel

For Respondents :: Mr.A.Antony Arokiaraja

ORDER

The petitioners, having retired from service as Special Grade Conductor/ Special Grade Driver/Selection Grade

Assistant/Special Grade Conductor in the respondent Corporation on 30.09.2016, 31.10.2016, 31.12.2016, 31.10.2012 respectively, have filed these writ petitions seeking a direction to the respondents to settle the terminal benefits payable to them, as prayed for in the petitions, by considering their representations dated 15.02.2017, 01.03.2017, 27.03.2017, 23.12.2016.

2. Mr.A.Antony Arokiaraja, 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/-

Assistant Registrar(CS VIII)

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Sub Assistant Registrar

gmd/ss

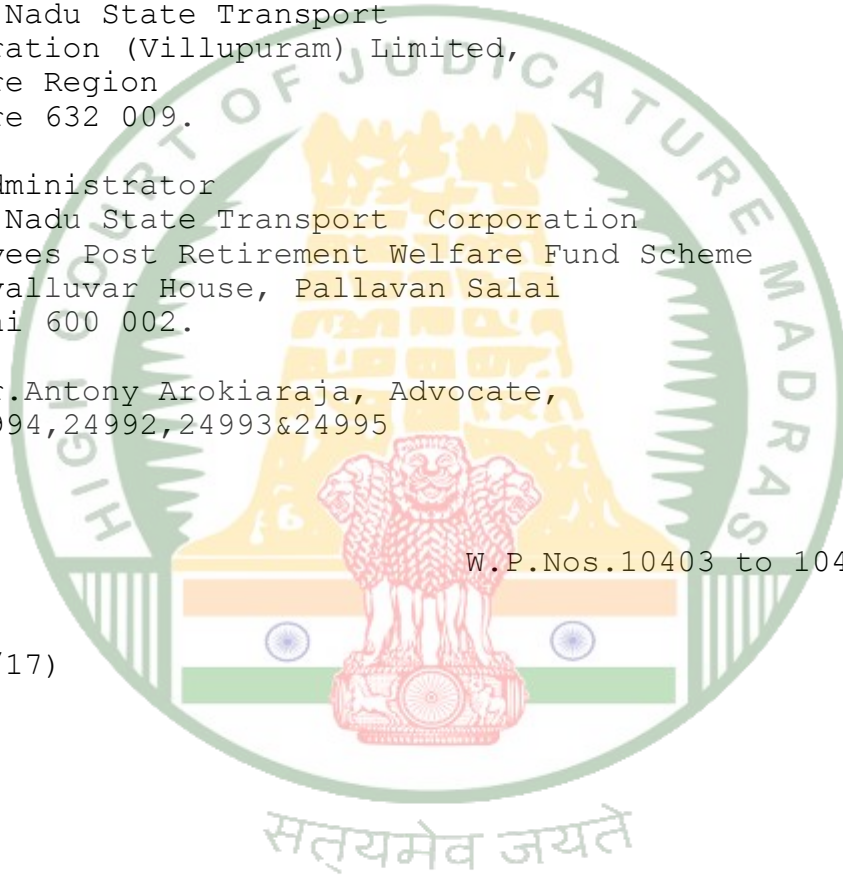
To

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Vellore 632 009.
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Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai 600 002.

+1cc to Mr.Antony Arokiaraja, Advocate,
S.R.No.24994,24992,24993&24995

W.P.Nos.10403 to 10406 of 2017

mg (co)
rmp (09/05/17)



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