

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.9494 to 9503 of 2017

V.Dharmarajan	..Petitioner in W.P.No.9494 of 2017
K.Fathima Raj	..Petitioner in W.P.No.9495 of 2017
N.Govindarajan	..Petitioner in W.P.No.9496 of 2017
R.Kannan	..Petitioner in W.P.No.9497 of 2017
J.Joseph Raja	..Petitioner in W.P.No.9499 of 2017
T.Pannerselvam	..Petitioner in W.P.No.9500 of 2017
K.Subbarayan	..Petitioner in W.P.No.9501 of 2017
L.Rajendran	..Petitioner in W.P.No.9502 of 2017
G.Parangusam	..Petitioner in W.P.No.9503 of 2017

-vs-

M/s State Express Transport
Corporation Ltd.,
rep.by its Managing Director
No.2, Pallavan Salai
Chennai 600 002

..Respondent in the writ Petitions
No. 9494/17 to 9502/17

M/S. Metropolitan Transport Corporation Ltd,
Rep by its Managing Director No.2 Pallavan Salai
Chennai-2.

...Respondent in W.P. 9503 of 2017

W.P.No.9494 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 settle the terminal benefits of the petitioner, Gratuity amount of Rs.7,50,000/-, Surrender of earned leave 213 days and medical leave of 17 days amount of Rs.2,90,000/- and Social Security Scheme amount of Rs.35,000/- and Erode Engineering College and Perundurai medical College amount of Rs.4,500/- altogether a sum of Rs.10,79,500/- with interest at the rate of 6% per annum by considering representation of the petitioner dated 23.03.2017.

W.P.No.9495 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 settle the terminal benefits of the petitioner, Provident Fund amount of Rs.2,46,500/-, Surrender of earned leave 180 days amount of Rs.1,80,000/- and Social Security Scheme amount of Rs.35,000/-, Commutation amount of Rs.1,49,000/-, Erode Engineering College

and Perundurai Medical College amount of Rs.4,500/-, Dearness allowance 10% from 01.01.2014 to 30.09.2014, fixation of salary with effect from 01.09.2013 as per wage settlement Insurance maturity amount of Rs.50,000/- and refixation of pension and other consequential benefits with arrears and altogether a sum of Rs.6,65,000/- with interest at the rate of 6% per annum by considering representation of the petitioner dated 24.03.2017.

W.P.No.9496 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 settle the terminal benefits of the petitioner, Gratuity amount of Rs.9,00,000/-, commutation amount of Rs.3,50,000/-, Surrender of Earned leave of days and Medical leave of 89 days amount of Rs.1,33,500/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/- and 27 year review benefits and altogether a sum of Rs.14,18,000/- with interest at the rate of 6% per annum after fixing my grade pay from Rs.2400/- to 4300/- with consequential benefits as per wage settlement by considering the representation of the petitioner dated 24.03.2017.

W.P.No.9497 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 settle the terminal benefits of the petitioner, Commutation amount of Rs.80,000/-, Provident Fund amount of Rs.4,15,500/-, Social Security Scheme amount of Rs.30,000/- along with enhanced Dearness allowance from 107% to 132% with arrears from 01.01.2015 and fixation of salary with effect from 01.09.2013 as per wage settlement and refixation of pension and other consequential benefits with arrears altogether a sum of Rs.5,25,500/- with interest at the rate of 6% per annum by considering the representation of the petitioner dated 25.03.2017.

W.P.No.9498 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 settle the terminal benefits of the petitioner, Gratuity amount of Rs.9,00,000/-, Surrender of earned leave 114 days amount of Rs.1,52,000/- and Social Security Scheme amount of Rs.35,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/- and altogether a sum of Rs.10,91,500/- with interest at the rate of 6% per annum by considering representation of the petitioner dated 24.03.2017.

W.P.No.9499 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 settle the terminal benefits of the petitioner, Provident Fund Amount of Rs.2,72,891/-, commutation amount of Rs.1,10,000/-, Surrender of

earned leave of 5 days and Medical Leave of 8 days amount of Rs.13,648/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/- and Dearness allowance 10% from 01.01.2014 to 31.09.2014, fixation of salary with effect from 01.09.2013 as per wage settlement and refixation of pension and other consequential benefits with arrears and altogether a sum of Rs.4,31,039/- with interest at rate of 6% per annum by considering the representation of the petitioner dated 24.03.2017.

W.P.No.9500 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 settle the terminal benefits of the petitioner, Provident Fund Amount of Rs.3,49,788/-, Surrender of earned leave of 213.5 days and Medical Leave of 9 days amount of Rs.2,59,583/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/-, Social Security Scheme amount of Rs.30,000/-, commutation amount of Rs.72,000/-, LIC Policy amount of Rs.50,000/- and altogether a sum of Rs.7,65,871/- with interest at rate of 6% per annum after fixation of 4th review benefits by considering the representation of the petitioner dated 24.03.2017.

W.P.No.9501 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 settle the terminal benefits of the petitioner, Gratuity amount of Rs.7,50,000/-, commutation amount of Rs.3,00,000/-, Surrender of earned leave of 32 days amount of Rs.40,533/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering college and Perundurai Medical College amount of Rs.4,500/- and altogether a sum of Rs.11,25,033/- with interest at the rate of 6% per annum by considering the representation of the petitioner dated 24.03.2017.

W.P.No.9502 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 settle the terminal benefits of the petitioner, Provident fund amount of Rs.2,53,000/-, Surrender of earned leave of 114.5 days amount of Rs.1,14,000/- and Social Security Scheme amount of Rs.35,000/-, Commutation amount of Rs.80,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/- and Dearness allowance 10% from 01.01.2014 to 31.09.2014, fixation of salary with effect from 01.09.2013 as per wage settlement and refixation of pension and other consequential benefits with arrears and altogether a sum of Rs.4,86,500/- with interest at rate of 6% per annum by considering the representation of the petitioner dated 24.03.2017.

W.P.No.9503 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 settle the terminal benefits of the petitioner, Commutation amount of Rs.1,05,000/-, Surrender of earned leave of 240 days and Medical Leave of 10 days amount of Rs.3,66,660/-, Social Social Security Scheme amount of Rs.30,000/- along with 13% Dearness allowance with arrears altogether a sum of Rs.4,71,660/- with interest at the rate of 6% per annum by considering the representation of the petitioner dated 25.03.2017.

For Petitioner in all WP's :: Mr.D.Soundarraaj

For Respondent in all WP's :: Mr.P.Kannankumar

ORDER

The petitioners, having retired from service as Security Supervisor/Selection Grade Senior Driver/Checking Inspector/Selection Grade Senior Conductor/Superintendent in the respondent Corporation on 31.7.2016, 30.09.2014, 30.06.2016, 31.1.2015, 30.11.2016, 30.06.2014, 31.5.2015, 28.2.2016, 31.5.2014, 30.6.2015 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 interest at 6% per annum, by considering their representations dated 23.03.2017, 24.03.2017 & 25.03.2017.

2. Mr.P.Kannankumar, 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 respondent, 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 respondent to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondent 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

/true copy/

Sub Asst. Registrar

ss

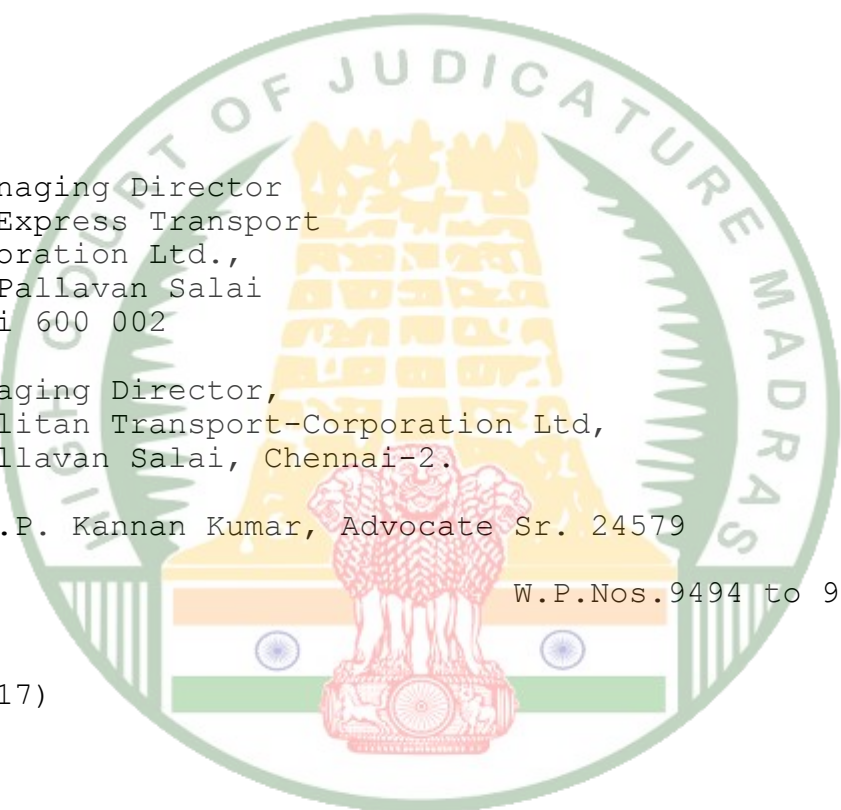
To

1. The Managing Director
State Express Transport
Corporation Ltd.,
No.2, Pallavan Salai
Chennai 600 002
2. The Managing Director,
Metropolitan Transport-Corporation Ltd,
No.2 Pallavan Salai, Chennai-2.

+1cc to Mr.P. Kannan Kumar, Advocate Sr. 24579

W.P.Nos.9494 to 9503 of 2017

SCD(CO)
VR(28/4/2017)

The seal of the Madras High Court is a circular emblem. It features a central golden temple gopuram (tower) with a red lion standing in front of it. The lion is facing forward and is flanked by two smaller lions. The entire emblem is set against a green background with a white border. The words "HONORABLE COURT OF JUDICATURE MADRAS" are written in a circular path around the central image. At the bottom of the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is inscribed in Devanagari script.

सत्यमेव जयते

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