

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.7687 to 7695 of 2017

T.Dhandapani	..	Petitioner in W.P.No.7687 of 2017
M.Arumugam	..	Petitioner in W.P.No.7688 of 2017
R.Govindasamy	..	Petitioner in W.P.No.7689 of 2017
C.Velu	..	Petitioner in W.P.No.7690 of 2017
V.Perumal	..	Petitioner in W.P.No.7691 of 2017
G.Ranganathan	..	Petitioner in W.P.No.7692 of 2017
M.Mani	..	Petitioner in W.P.No.7693 of 2017
P.Chinnadurai	..	Petitioner in W.P.No.7694 of 2017
L.Veerajayam	..	Petitioner in W.P.No.7695 of 2017

-vs-

1. The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
12, Ramakrishna Salai
Salem 636 007
2. The Administrator
Tamil Nadu State Transport
Corporation (Salem) Limited
Employees Post Retirement
Welfare Fund Scheme
Thiruvalluvar House, Pallavan Road
Chennai 600 002 .. Respondents in all the writ petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to pay all the monetary benefits entitled to the petitioners pursuant to the 12th Wage Settlement dated 13.04.2015 entered between the employees and Management of the first respondent Corporation under Section 12(3) of the Industrial Disputes Act 1947 with interest at 12% per annum within the time stipulated by this Hon'ble Court.

For Petitioners :: Mr.A.Selvaraju
For Respondents :: Mr.R.K.Gandhi

ORDER

The petitioners have filed these writ petitions seeking a common relief of a direction to the respondents to pay all the monetary benefits to which they are entitled to, pursuant to the 12th wage settlement dated 13.04.2015 entered into between the employees and the Management of the first respondent Corporation under Section 12(3) of the Industrial Disputes Act, 1947 with interest at 12% per annum, within the time stipulated by this Hon'ble Court.

2. The petitioners have retired from the services of the respondent Transport Corporation as Senior Tradesman/Traffic Inspector/Senior Driver on 28.2.2013, 31.5.2013, 30.4.2014, 30.4.2014, 31.5.2014, 30.6.2014, 30.6.2014, 30.6.2014 & 28.02.2015 respectively. But their grievance is that the following benefits have not been settled to them:-

- (i) Difference amount between the salary and revised salary as per the 12th wage settlement from 1.9.2013 till date of retirement.
- (ii) Commutation as per 12th wage settlement
- (iii) Encashment of earned leave salary as per the revised salary based on the 12th wage settlement
- (iv) Dearness Allowance as per revised salary based on 12th wage settlement
- (v) Pension based on revised salary as per 12th wage settlement
- (vi) Gratuity based on 12th wage settlement
- (vii) Encash of medical leave credited as on 1.9.98 based on 12th wage settlement
- (viii) Employees Provident Fund as per 12th wage settlement

Hence they have made representations to the respondents and since the same have not been considered, they have been advised to come to this Court.

3. Mr.R.K.Gandhi, learned standing counsel takes notice on behalf of the respondents.

4. This Court, in the light 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

disburse the monetary benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondents to settle the entire monetary 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 June, 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

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To

1. The Managing Director
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Corporation (Salem) Limited
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Salem 636 007
2. The Administrator
Tamil Nadu State Transport
Corporation (Salem) Limited
Employees Post Retirement
Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai 600 002

+9cc to Mr.Selvaraju, Advocate, S.R.No.19840

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MP(CO)
RS(18/04/2017)