IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.9769 & 9770 of 2017

Ponnusamy.K ..Petitioner in W.P.No.9769 of 2017
Palanisamy.K ..Petitioner in W.P.No.9770 of 2017

-vs-

1. Tamil Nadu State Transport
Corporation Ltd.,
37, Mettupalayam Road
Coimbatore 641 043
represented by its
Managing Director
Sole respondent in W.P.No.9769 of 2017
..& 1st respondent in W.P.No.9770 of 2017

2. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai 600 002 ..2nd Respondent in W.P.No.9770 of 2017

W.P.No.9769 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 pay the petitioner all his retirement benefits including Provident Fund, Gratuity, IRT Deposit amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Hon'ble Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Hon'ble Court.

W.P.No.9770 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 the petitioner all his retirement benefits including Gratuity, Commutation, Leave Salary amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Hon'ble Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Hon'ble Court.

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For Petitioners:: Mr.A.Rajendiran

For Respondents:: Mr.P.Kannankumar

ORDER

The petitioners, having retired from service as Special Grade Conductor and Canteen Cleaner in the respondent Corporation on 28.2.2017 & 31.3.2014 respectively, have filed these writ petitions seeking a direction to the respondent(s) to settle all the retiral benefits payable to them, as prayed for in the writ petitions, with interest at 18% per annum.

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 retiral 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 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. 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.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director
   Tamil Nadu State Transport
   Corporation Ltd.,
   37, Mettupalayam Road
   Coimbatore 641 043

2. The Administrator
   Tamil Nadu State Transport
   Corporation Pension Fund Trust
   Thiruvalluvar House
   Pallavan Salai
   Chennai 600 002

+1cc to Mr.A. Rajendiran, Advocate, S.R.No.23869
+2ccs to Mr.P. Kannan Kumar, Advocate, S.R.No.24580

NR(CO)
EU 4.5.17

W.P.Nos.9769 & 9770 of 2017

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