

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.981 to 985 of 2017

W.P.No.981 of 2017

1.A.Durai
2.A.Joseph Arumairaj
3.T.B.Rajan .. Petitioners

-vs-

The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043. ...Respondent

Prayer in W.P.No.981 of 2017 :-Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to pay the petitioners their retirement benefits with interest to them as per their representation dated 13.10.2016.

For Petitioners :: Mr.S.Balasubramanian
For Respondent :: Mr.P.Kannankumar

COMMON ORDER

The petitioners have filed these writ petitions seeking a direction to the respondents to settle their retirement benefits i.e Provident Fund, Gratuity, Earned Leave, etc.

2. Heard the learned counsel for the petitioners. Mr.P.Kannankumar, learned counsel takes notice on behalf of the respondents.

3. Since the issues involved in all these writ petitions are one and the same, they are disposed of by this common order. For better appreciation, facts involved in W.P.No.981 of 2017 are stated below:

The petitioners, after rendering 35 years of unblemished service as Drivers in the respondent Corporation, have retired from service on 31.01.2015, 30.06.2016 and 31.07.2016 respectively, on attaining the age of superannuation.

4. Now, the only grievance of the petitioners is that their retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondents.

5. Since the issue is squarely covered by the various orders passed by 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), these writ petitions are disposed of with a direction to the respondents to settle the entire terminal benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% p.a. 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. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rkm
To

The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043.

+21cc to Mr.S. Balasubramanian, Advocate, S.R.No.20766 to 20770
+1cc to Mr.P. Kannan Kumar, Advocate, S.R.No.21282

rv(CO)
md(28/04/2017)

W.P.Nos.981 to 985 of 2017