

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.204 to 209 of 2017

G. Chandrasekaran	.. Petitioner in W.P. No.204 of 2017
M. Pakkri	.. Petitioner in W.P. No.205 of 2017
N. Kumar	.. Petitioner in W.P. No.206 of 2017
K.S. Ganesan	.. Petitioner in W.P. No.207 of 2017
T. Selvarasu	.. Petitioner in W.P. No.208 of 2017
S. Neelamegam	.. Petitioner in W.P. No.209 of 2017

-vs-

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy,
Villupuram - 605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602. ..Respondents in W.P.Nos.204 & 209
of 2017
1. The Managing Director,
Tamil Nadu State Transport Corporation(Villupuram) Ltd.,
Vazhuthareddy,
Villupuram - 605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House Pallavan Salai,
Chennai - 600 002. ..Respondents in W.P.No.205,
206 of 2017

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,
Cuddalore Region,
Cuddalore - 607 001.

..Respondents in W.P.No.207 &
208 of 2017

W.P.No.204 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 & Old Medical Leave), DA arrears and others by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 28.08.2015 within the stipulated time as may be fixed by this court.

W.P.No.205 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, Pension arrears, Leave Surrender (Earned Leave & Old Medical Leave), DA arrears and others by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.03.2016 within the stipulated time as may be fixed by this court.

W.P.No.206 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, Settlement Effect arrears amount, Leave Surrender (Earned Leave & Old Medical Leave), DA arrears and others by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.06.2014 within the stipulated time as may be fixed by this court.

W.P.No.207 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 & Old Medical Leave), DA arrears and others by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.09.2016 within the stipulated time as may be fixed by this court.

W.P.No.208 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 & Old Medical Leave), DA arrears and others by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.10.2016 within the stipulated time as may be fixed by this court.

W.P.No.209 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 & Old Medical Leave), DA arrears and others by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.06.2016 within the stipulated time as may be fixed by this court.

For Petitioners :: Mr.G.Sakthivel

For Respondents :: Mr. P. Kannan Kumar

ORDER

The petitioners, having retired from service as Special Grade Conductor/Selection Grade Driver/Traffic Manager in the respondent Corporation on 27.08.2015, 29.02.2016, 31.05.2014, 31.08.2016, 30.09.2016, 31.05.2016 respectively, have filed these writ petitions seeking a direction to the respondents to settle all the retirement benefits payable to them, as prayed for in the 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 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 respondents, 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. 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/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

vga

To

1. The Managing Director,
Tamil Nadu State Transport Corporation(Villupuram) Ltd.,
Vazhuthareddy,
Villupuram - 605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House Pallavan Salai,
Chennai - 600 002.

4. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Cuddalore Region,
Cuddalore - 607 001.

+6ccs to Mr.G. Sakthivel, Advocate Sr. 22973

+1cc to Mr.P. Kannankumar, Advocate Sr. 23073

W.P.Nos.204 to 209 of 2017

KGK(CO)
VR(26/4/2017)



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