

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.10971 to 10974 of 2017

S.Perumal .. Petitioner in W.P.No.10971 of 2017
T.Mani .. Petitioner in W.P. No.10972 of 2017
P.Pandiyan .. Petitioner in W.P. No.10973 of 2017
C.Gopal .. Petitioner in W.P. No.10974 of 2017

-vs-

1.The Managing Director,
Tamil Nadu State Transport
Corporation Ltd, (Salem Kottam -1)
No.12, Ramakrishnan Road,
Salem - 636 007.

2. The General Manager
Tamil Nadu State Transport
Corporation Ltd, (Salem Kottam -1)
No.12, Ramakrishnan Salai,
Head Office Salem - 636 007.

3. The Administrator
Tamil Nadu State Transport
Corporation Employees Post Retirement
Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai
Chennai 600 002.

... Respondents in all cases

W.P.No.10971 of 2016 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 provident fund Earned, leave salary, Labour fund, Gratuity, Commutation and PRBF (Post Retirement Benefit fund) pension arrears by calculation D.A eligible as per newly implemented with interest at 12% per annum with effect from 01.11.2016 within the stipulated time as may be fixed by this Court.

W.P.No.10972 of 2016 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 provident fund Earned, leave salary, Labour fund, Gratuity, Commutation and PRBF (Post Retirement Benefit fund) pension arrears by calculation D.A eligible as per newly implemented with interest at 12% per annum with from 01.07.2016 within the stipulated time as may be fixed by this Court.

W.P.No.10973 of 2016 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 provident fund Earned, leave salary, Labour fund, Gratuity, Commutation and PRBF (Post Retirement Benefit fund) pension arrears by calculation D.A eligible as per newly implemented with interest at 12% per annum with from 01.11.2016 within the stipulated time as may be fixed by this Court.

W.P.No.10974 of 2016 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 provident fund Earned, leave salary, Labour fund, Gratuity, Commutation and PRBF (Post Retirement Benefit fund) pension arrears by calculation D.A eligible as per newly implemented with interest at 12% per annum with from 01.11.2016 within the stipulated time as may be fixed by this Court.

For Petitioners :: Mr.P.Pandiyaraj

For Respondents :: Mr.P.Paramisivadoss

ORDER

The petitioners, having retired from service as Selection Grade Senior Conductor/Senior Driver/Selection Grade Senior Conductor/Selection Grade Senior Conductor in the respondent Corporation on 31.10.2016, 30.06.2016, 31.10.2016, 31.10.2016 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.Paramisivadoss, 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 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/-
Assistant Registrar

//True Copy//

vga

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation Ltd, (Salem Kottam -1)
No.12, Ramakrishnan Road,
Salem - 636 007.

2. The General Manager
Tamil Nadu State Transport
Corporation Ltd, (Salem Kottam -1)
No.12, Ramakrishnan Salai,
Head Office Salem - 636 007.

3. The Administrator
Tamil Nadu State Transport
Corporation Employees Post Retirement
Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai
Chennai 600 002.

+4cc to Mr.P.Pandiyaraj, Advocate, S.R.No.26154,26153,26152,26151

W.P.Nos.10971 to 10974 of 2017

NR II (CO)
RS (12/05/2017)