

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.591 to 594 of 2017

A. Arumugam	.. Petitioner in W.P. No.591 of 2017
C. Sakthivel	.. Petitioner in W.P. No.592 of 2017
M. Ganesan	.. Petitioner in W.P. No.593 of 2017
S. Palaniappan	.. Petitioner in W.P. No.594 of 2017

-vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation,
12, Ramakrishna Road,
Salem - 636 007.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002. ..Respondents in W.P.Nos. 591 to
594 of 2017

W.P.No.591 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 to the Petitioner, his legitimately entitlements of terminal benefits viz., Provident Funds, Gratuity, Pension Communication, Family Welfare Fund balance ERBS Pension arrears, Surrender Leave Salary Earned Leave balance as on 31.01.2016, balance dearness allowance and surrender medical leave salary, calculating D.A eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 18% per annum with effect from 01.02.2016 within the stipulated time to be fixed by this Court.

W.P.No.592 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 to the Petitioner, his legitimately entitlements of terminal benefits viz., Provident Funds, Gratuity, Pension Communication, Family Welfare Fund balance ERBS Pension arrears, Surrender Leave Salary Earned Leave balance as on 31.01.2012, balance dearness allowance and surrender medical leave salary, calculating D.A

eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 18% per annum with effect from 01.02.2012 within the stipulated time to be fixed by this Court.

W.P.No.593 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 to the Petitioner, his legitimately entitlements of terminal benefits viz., Provident Funds, Gratuity, Pension Communication, Family Welfare Fund balance ERBS Pension arrears, Surrender Leave Salary Earned Leave balance as on 31.12.2015, balance dearness allowance and surrender medical leave salary, calculating D.A eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 18% per annum with effect from 01.01.2016 within the stipulated time to be fixed by this Court.

W.P.No.594 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 to the Petitioner, his legitimately entitlements of terminal benefits viz., Provident Funds, Gratuity, Pension Communication, Family Welfare Fund balance ERBS Pension arrears, Surrender Leave Salary Earned Leave balance as on 30.06.2016, balance dearness allowance and surrender medical leave salary, calculating D.A eligible as per newly implemented scheme and other terminal benefits payable to him with interest at 18% per annum with effect from 01.07.2016 within the stipulated time to be fixed by this Court.

For Petitioners :: Mr. K. Selvakumar

For Respondents :: Mr.R.K. Gandhi for R1
Mr.P. Paramasivados for R2

सत्यमेव जयते
ORDER

The petitioners, having retired from service as Senior Grade Conductor/Security/Selection Grade Senior Driver/Senior Charge Men in the respondent Corporation on 31.01.2016, 31.01.2012, 31.12.2015 and 30.06.2016 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.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/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

vga
To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
12, Ramakrishna Road,
Salem - 636 007.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

+4cc to M/S.K.Gandhi, Advocate Sr. 22782 to 22785

W.P.Nos.591 to 594 of 2017

RSI (CO)
VR(02/06/2017)