

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.113 to 120 of 2017

|                 |                                       |
|-----------------|---------------------------------------|
| S. Subramaniyan | .. Petitioner in W.P. No. 113 of 2017 |
| B.S. Selvaraj   | .. Petitioner in W.P. No. 114 of 2017 |
| R. Jayaraman    | .. Petitioner in W.P. No. 115 of 2017 |
| M. Ganesan      | .. Petitioner in W.P. No. 116 of 2017 |
| R. Sekar        | .. Petitioner in W.P. No. 117 of 2017 |
| L. Rajagopal    | .. Petitioner in W.P. No. 118 of 2017 |
| V. Selvaraj     | .. Petitioner in W.P. No. 119 of 2017 |
| A. Selvamani    | .. Petitioner in W.P. No. 120 of 2017 |

-vs-

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,  
Kanchepuram Region,  
Kanchepuram.
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 Nos. 113, 114, 115 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,  
Vellore Region,  
Vellore - 632 009.
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. 116 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,  
Villupuram Region,  
Trichy Main Road,  
Villupuram - 605 602. ..Respondents in W.P No. 117 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,  
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 Nos. 118, 119 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,  
Thiruvannamalai Region,  
Thiruvannamalai.
- ..Respondents in W.P No. 120 of 2017

W.P.No.113 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 and Leave Surrender (Earned Leave & Old Medical Leave), 2013 Settlement Effect with Arrears, IRT Share Amount and all other Benefits 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.114 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 and Leave Surrender (Earned Leave & Old Medical Leave), 2013 Settlement Effect with Arrears, IRT Share Amount and all other Benefits 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.115 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 and Leave Surrender (Earned Leave & Old Medical Leave), 2013 Settlement Effect with Arrears, IRT Share Amount and all other Benefits 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 01.12.2015 within the stipulated time as may be fixed by this court.

W.P.No.116 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, Commutation and Leave Encashment, 11 days Salary and all other benefits by calculating D.A. eligible as per newly

implemented, with interest at 12% per annum with effect from 01.06.2016 within the stipulated time as may be fixed by this court.

W.P.No.117 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), Labour Welfare Fund, D.A Arrears and all other Benefits 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 01.07.2013 within the stipulated time as may be fixed by this court.

W.P.No.118 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, Commutation, Leave Surrender (Earned Leave & Old Medical Leave), 2013 Settlement Effect & Arrears, ERBS Pension, DA Arrears and all other arrears benefits 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 01.11.2016 within the stipulated time as may be fixed by this court.

W.P.No.119 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, 2013 Settlement Effect & Arrears, IRT Share Amount, ERBS Pension, DA Arrears and all other Benefits 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 01.03.2013 within the stipulated time as may be fixed by this court.

W.P.No.120 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), 2013 Settlement Effect Arrears, Pay Commission Effect with Arrears, Pension Arrears, Last Month 10 Days salary and D.A. Arrears 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 01.11.2013 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 Selection Grade Checking Inspector/Selection Grade Conductor/Special Grade Driver/Special Grade Contractor/Special Grade Security Guard/Senior Assistant Engineer/Helper in the respondent Corporation on 30.09.2016, 31.08.2016, 30.11.2015, 31.05.2016, 31.07.2013, 31.10.2016, 28.02.2013, 31.10.2013 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.

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 appearing for the respondents/Transport 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 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 7<sup>th</sup> 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.

Speaking/Non speaking order  
Index : yes/no  
vga

12.04.2017

To

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,  
Kancheipuram Region,  
Kancheipuram.
3. The Administrator,  
Tamil Nadu State Transport Corporation  
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Thiruvalluvar House,  
Pallavan Salai,  
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4. The General Manager,  
Tamil Nadu State Transport Corporation  
(Villupuram) Limited,  
Vellore Region,  
Vellore - 632 009.
5. The General Manager,  
Tamil Nadu State Transport Corporation (Villupuram) Limited,  
Thiruvannamalai Region,  
Thiruvannamalai.

T.RAJA, J.

vga

W.P.Nos.113 to 120 of 2017

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