

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.1139 to 1143 of 2017

S.Guruvaiah	..	Petitioner in W.P.No.1139 of 2017
C.Jayaraman	..	Petitioner in W.P.No.1140 of 2017
R.Rangarajan	..	Petitioner in W.P.No.1141 of 2017
T.Sukumar	..	Petitioner in W.P.No.1142 of 2017
S.Murugananthan	..	Petitioner in W.P.No.1143 of 2017

-vs-

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009 ..1st Respondent in all the writ petitions
2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai .. 2nd Respondent in W.P.Nos.1139 to
Chennai 600 002 .. 1142 of 2017
3. The Managing Director
Tamil Nadu State Transport
Corporation (VPM) Ltd.,
3/137, Salamedu
Valuthareddy Post
Villupuram 605 602 .. 2nd Respondent in W.P.No.1143 of 2017
4. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai 600 002 ..3rd Respondent in all the writ petitions

W.P.No.1139 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd & 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs.15,400/- Pension Commutation Amount of Rs.3,50,000/- Difference in Gratuity Amount of Rs.1,15,000/- Settlement Arrears Amount of Rs.47,300/- Review Benefit Arrears Amount of Rs.74,400/- Pension Arrears Amount of Rs.14,300/- and IRT

Contribution Amount of Rs.4,600/- the total comes to Rs.6,21,000/- (Rupees Six Lakhs and Twenty One Thousand Only) with 18% interest on delayed payment to the petitioner the Checking Inspector Staff No.C10734 who has retired from service on 31.07.2014.

W.P.No.1140 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd & 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs.3,25,000/- Pension Commutation Amount of Rs.3,35,000/- IRT Contribution Amount of Rs.4,600/- Settlement Arrears Amount of Rs.15,000/- and Social Security Scheme Amount of Rs.20,000/- the total comes to Rs.7,99,600/- (Rupees Seven Lakhs Ninety Nine thousand and Six Hundred Only) with 18% interest on delayed payment to the petitioner the Senior Tradesman Staff No.TO8459 who has retired from service on 31.07.2016.

W.P.No.1141 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd & 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs.3,94,000/- Pension Commutation Difference Amount of Rs.87,000/- Difference in Gratuity Amount of Rs.2,20,000/- Settlement Arrears Amount of Rs.1,90,800/- and IRT Contribution Amount of Rs.4,500/- the total comes to Rs.8,96,300/- (Rupees Eight Lakhs Ninety Six Thousand and Three Hundred Only) with 18% interest on delayed payment to the petitioner the Checking Inspector Staff No.C11985 who has retired from service on 28.02.2015.

W.P.No.1142 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd & 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs.1,14,800/- Pension Commutation Amount of Rs.3,50,000/- Difference in Gratuity Amount of Rs.25,000/- Settlement Arrears Amount of Rs.2,02,000/- and Social Security Scheme Amount of Rs.20,000/- the total comes to Rs.7,11,800/- (Rupees Seven Lakhs Eleven Thousand And Eight Hundred Only) with 18% interest on delayed payment to the petitioner the Traffic Inspector Staff No.C13128 who has retired from service on 31.01.2016.

W.P.No.1143 of 2017 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd & 3rd respondents to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.66,100/- Gratuity Amount of Rs.5,75,000/- Settlement Arrears Amount of Rs.3,500/- and Pension Arrears Amount of Rs.54,600/- Difference in Commutation Amount of Rs.30,000/- the

total comes to Rs.7,29,200/- (Rupees Seven Lakhs Twenty Nine Thousand and Two Hundred Only) with 18% interest on delayed payment to the petitioner the Senior Assistant Staff No.AR1013 who has retired from service on 30.09.2013.

For Petitioners :: Mr.D.Veerasekaran
For Respondents :: Mr.K.Venkataramani
Additional Advocate General
assisted by Mr.K.Dhananjayan
Special Government Pleader for
the State and Mr.P.Kannankumar
for the Transport Corporation

ORDER

The petitioners, having retired from service as Checking Inspector/Senior Tradesman/Traffic Inspector/Senior Assistant in the respondent Corporation on 31.7.2014, 31.7.2016, 28.2.2015, 31.1.2016, 30.9.2013 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 writ petitions, with interest at 18% per annum.

2. Mr.K.Venkataramani, learned Additional Advocate General assisted by Mr.K.Dhananjayan, learned Special Government Pleader for the State and 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 retiral 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 Additional Advocate General 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/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009
2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai
Chennai 600 002
3. The Managing Director
Tamil Nadu State Transport
Corporation (VPM) Ltd.,
3/137, Salamedu
Valuthareddy Post
Villupuram 605 602
4. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai 600 002

+1cc to Mr.D. Veerasekaran, Advocate, S.R.No.19685
+2cc to Mr.P. Kannan Kumar, Advocate, S.R.No.19843

rj (CO)
md(19/04/2017)

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