

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.1322 to 1324 of 2017

A.Thirunavukkarasu .. Petitioner in W.P.No.1322/17
P.Rathinasamy .. Petitioner in W.P.No.1323/17
C.Ramasamy .. Petitioner in W.P.No.1324/17

-vs-

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem - 636 007. ..Respondent in all Wps

The Administrator,
Tamil Nadu Transport Corporation
Employees Pension Trust,
Administrative Office, Thiruvalluvar House,
Pallavan Salai, Chennai - 2. ... 2nd Respondent in
W.P.No.1324/17

Prayer in W.P.No.1322/17 :-Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to pay the retirement benefits such as IRT Share amount, the benefits of Earned and Unearned Leave, old medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

Prayer in W.P.No.1323/17 :-Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to pay the retirement benefits such as benefits of Earned and Unearned Leave, Medical Leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

Prayer in W.P.No.1324/17 :-Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to pay the retirement benefits such as Gratuity, IRT Share amount, the benefits of Earned and Unearned Leave, old medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

For Petitioners :: Mr.A.Nagarathinam
in all the petitions
For Respondent :: Mr.R.K.Gandhi
in all the petitions

COMMON ORDER

The petitioners have filed these writ petitions seeking a direction to the respondents to settle their retirement benefits i.e Provident Fund, Gratuity, Earned Leave, etc.

2. Heard the learned counsel for the petitioners. Mr.R.K.Gandhi, learned counsel takes notice for the respondents.

3. Since the issues involved in all these writ petitions are one and the same, they are disposed of by this common order. For better appreciation, facts involved in W.P.No.1322 of 2017 are stated below:

The petitioner joined as Conductor on 11.02.1989 and after rendering 25 years of unblemished service, he retired from service on 31.05.2015 on attaining the age of superannuation.

4. Now, the only grievance of the petitioners is that their retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondents.

5. Since the issue is squarely covered by the various orders passed by this Court, in the light 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), these writ petitions are disposed of with a direction to the respondents to settle the entire terminal 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. No costs.

-s/d-
Assistant Registrar(CSV)

True Copy

Sub-Assistant Registrar

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To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem - 636 007.

2. The Administrator,
Tamil Nadu Transport Corporation
Employees Pension Trust,
Administrative Office, Thiruvalluvar House,
Pallavan Salai, Chennai - 2.

+3 ccs to Mr.A.Nagarathinam Advocate sr 25992,25993
& 25994

+3 ccs to Mr.R.K.Gandhi Advocate sr 25960,25961 & 25962

सत्यमेव जयते

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