

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. Nos.1400 to 1403 of 2017 (4 WPs)

J. Easudoss	Petitioner in WP No.1400/2017
M. Ramakrishnan	Petitioner in WP No.1401/2017
S. Kuppan	Petitioner in WP No.1402/2017
T. Arumugam	Petitioner in WP No.1403/2017

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
3/137, Salamedu
Villupuram 605 602
 - 2 The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund
Pallavan Salai
Chennai 600 002
- Respondents in all WPs

Prayer in W.P. No.1400 to 1402 of 2017:

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to settle the petitioners' terminal benefits like gratuity amount, leave salary, arrears of Dearness Allowance and Pension arrears by the second respondent with 12% interest from the date of retirement to the date of payment.

Prayer in W.P. No.1403 of 2017:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to settle the petitioner's terminal benefits like gratuity amount, commutation, leave salary, arrears of Dearness Allowance and Pension arrears by the second respondent with 12% interest from the date of retirement to the date of payment.

For petitioner Mr. S.T. Varadarajulu
in all WPs

For respondents Mr. P. Kannan Kumar
in all WPs Standing Counsel

COMMON ORDER

Mr. P. Kannan Kumar, learned Standing Counsel, accepts notice for the respondents. With consent, the writ petitions are taken up for final disposal.

2 Inasmuch as the issue involved in all these writ petitions is one and the same, these writ petitions are considered and decided by this common order.

3 The petitioners, having retired from service as Driver/Driver Instructor/Conductor/Selection Grade Driver in the respondent Corporation on 31.07.2016, 31.01.2014, 30.06.2014 and 31.08.2016 respectively, have filed these writ petitions seeking a writ of mandamus directing the respondents to settle their terminal benefits such as gratuity, leave salary, arrears of Dearness Allowance, pension arrears, etc. with interest, as prayed for by them in the writ petitions.

4 The learned Standing Counsel for the Transport Corporation submitted that since there has been a direction issued by a Division Bench in identical cases in W.A.(MD) Nos.383 to 457 of 2015 [K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited, represented by its Managing Director, Madurai and others] vide judgment dated 12.06.2015 directing the Transport Corporation to disburse all the retiral benefits in 12 equal monthly instalments with 6% interest per annum, a similar direction may be issued in these writ petitions as well.

5 This Court, recording the statement made by the learned Standing Counsel for the respondent Corporation and taking note of the judgment dated 12.06.2015 of the Division Bench in W.A.(MD) Nos.383 to 457 of 2015 referred to above, directing the respondents therein to settle all the retirement benefits in 12 equal monthly instalments with 6% interest per annum, hereby directs the respondents to settle the entire retirement benefits due and payable to the petitioners in 12 equal monthly instalments carrying interest at the rate of 6% p.a. The instalments shall commence from July, 2017 and each of the instalments shall be paid on or before 7th of each month. In case of any delay in payment of 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 instalments.

With the above direction, these writ petitions are disposed of. Costs made easy.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

cad

To

1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
3/137, Salamedu
Villupuram 605 602

2 The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund
Pallavan Salai
Chennai 600 002

+1cc to Mr.S.T.Varadarajulu, Advocate sr.25985

+2cc to Mr.P.Kannankumar, Advocate sr.26538,26539

W.P. Nos.1400 to 1403 of 2017 (4 WPs)

rk(co)
ss(8/5/2017)

सत्यमेव जयते

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