

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. Nos.366 to 368 of 2017

P. Gunasekaran ... Petitioner in WP No.366 of 2017
K. Duraisamy ... Petitioner in WP No.367 of 2017
R. Sekar ... Petitioner in WP No.368 of 2017

vs.

The Managing Director
Tamil Nadu Transport Corporation Ltd.
12, Ramakrishna Salai
Salem 636 007 ... Respondent in all WPs.

Prayer in all the writ petitions:

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to consider the petitioners' representations dated 30.12.2016 seeking retired monetary benefits, Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earned Leave Arrears of salary amount and Dearness Allowance, service benefits, Pension, Bonus, Society Fund, Security Fund, Surrendered Medical Leave accrued so far in credit in accordance with law within a time frame.

For petitioner Mr. A. Ganesan
in all WPs

For respondent Mr. R.K. Gandhi
in all WPs Standing Counsel

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COMMON ORDER

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

2 With the consent of the learned counsel for the parties, these writ petitions are taken up for final disposal.

3 The petitioners, having retired from service as Senior Technicians in the respondent Corporation on 31.05.2016, 31.08.2016 and 30.11.2016 respectively, have filed these writ petitions seeking a writ of mandamus directing the respondents to consider their representations dated 30.12.2016 seeking retired monetary benefits, Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earned Leave Arrears of salary amount and Dearness Allowance, service benefits, Pension, Bonus, Society Fund, Security Fund, Surrendered Medical Leave accrued so far in credit in accordance with law, within a time frame.

4 The learned Standing Counsel for the respondent-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 retirement 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 Transport 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 of the appellants therein in 12 equal monthly instalments with 6% interest per annum, hereby directs the respondent to settle the entire benefits due and payable to the petitioners in 12 equal monthly instalments with interest at the rate of 6% p.a. The instalments shall commence from August, 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 the instalments.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

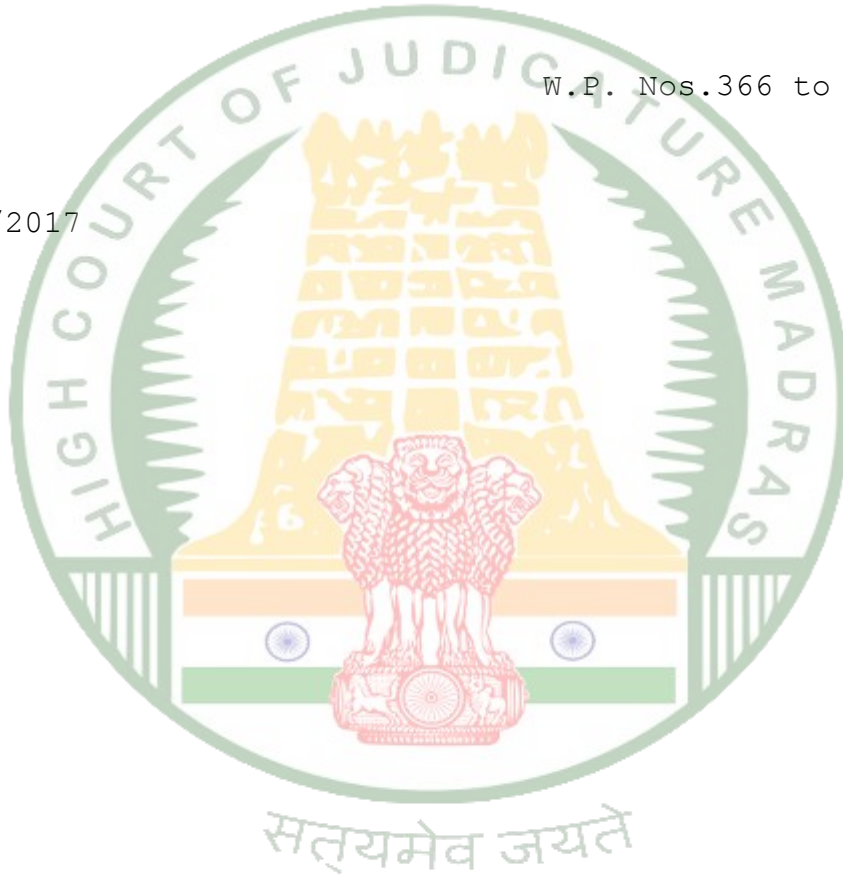
cad
To

The Managing Director
Tamil Nadu Transport Corporation Ltd.
12, Ramakrishna Salai
Salem 636 007.

+3cc to Mr.R.K.Gandhi, Advocate Sr.41792, 41786, 41790
+3cc to Mr.A.Ganesan, Advocate Sr.41841, 41838,41837

W.P. Nos.366 to 368 of 2017

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