

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.15407 to 15415 of 2017

M.Vellingiri	..	Petitioner in W.P.No.15407 of 2017
P.Sekar	..	Petitioner in W.P.No.15408 of 2017
K.P.Dheenadayalan	..	Petitioner in W.P.No.15409 of 2017
A.Sekar	..	Petitioner in W.P.No.15410 of 2017
G.Baskara Rao	..	Petitioner in W.P.No.15411 of 2017
V.Mani	..	Petitioner in W.P.No.15412 of 2017
K.Jeeva	..	Petitioner in W.P.No.15413 of 2017
G.Arumugam	..	Petitioner in W.P.No.15414 of 2017
R.Rengasamy	..	Petitioner in W.P.No.15415 of 2017

-vs-

1. The State of Tamil Nadu
rep.by its Principal Secretary
Transport Department
Fort St.George
Chennai 600 009

2. The Managing Director
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Chennai 600 002

..Respondents 1 & 2 in all the writ petitions

3. The Administrator
Tamil Nadu State Transport
Corporation Retired
Employees Provident Fund
Pallavan Salai
Chennai 600 002

..3rd Respondent in W.P.No.15414 of 2017

Petitions under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
second respondent to disburse the retirement benefits with
interest as described in the petitioners' representations dated
18.1.2017, 25.1.2017, 21.1.2017, 6.1.2017, 7.11.2016, 10.1.2017,
25.10.2016, 7.11.2016 & 7.11.2016, respectively.

For Petitioners:: Mr.A.Murugan

For Respondents:: Mr.T.M.Pappiah
Special Government Pleader for R1
in all the cases.
Mr.P.Kannankumar for R2 in
W.P.15407 to 15413 and 15415 of 2017
for RR2 & 3 in W.P. 15414 of 2017

ORDER

The petitioners, having retired from service as Checking Inspector/Traffic Inspector/Selection Grade Senior Driver/Selection Grade Senior Tradesman in the respondent Corporation on 31.3.2013, 31.3.2013, 30.11.2016, 31.12.2016, 30.6.2011, 29.2.2012, 31.5.2016, 31.3.2016, 31.3.2013 respectively, have filed these writ petitions with a grievance that the respondents have not come forward to settle their retirement benefits, namely, leave salary, provident fund, commutation, social security scheme etc. Therefore, they have given representations to settle the retirement benefits. But till date, the respondents have not come forward to consider their representations, ignoring the factor that they have all retired from service. Therefore, if a direction is issued to the respondents to consider the representations of the petitioners within a reasonable time, this would not cause any prejudice to the respondents.

2. Mr.T.M.Pappiah, learned Special Government Pleader for the first respondent 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 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 Special Government Pleader and the learned standing counsel for the 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., by considering their representations. 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. With this direction, the writ petitions are disposed of accordingly. No costs.

-s/d-

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
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Chennai 600 002
3. The Administrator
Tamil Nadu State Transport
Corporation Retired
Employees Provident Fund
Pallavan Salai
Chennai 600 002

+1 CC to Mr.A. Murugan, Advocate sr 43248
+1 CC to Mr.P. Kannan Kumar, Advocate sr 44255
+1 CC to Govt. Pleader sr 43522

W.P.Nos.15407 to 15415 of 2017

VGII (CO)
sp (04/07/2017)

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