

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2017

CORAM:
THE HON'BLE MR. JUSTICE T. RAJA

W.P. Nos.188 to 190 of 2017

&

W.M.P Nos.180 & 181 of 2017

A. Rajendran ... Petitioner in WP.188 of 2017
S. Thangavel ... Petitioner in WP.189 of 2017
N. Rajamanickam ... Petitioner in WP.190 of 2017

Vs.

- 1.State of Tamil Nadu
represented by its Principal Secretary to Government
Transport Department
Secretariat, Chennai 600 009
 - 2.Tamil Nadu State Transport Corporation (Salem) Ltd.
represented by its Managing Director
No.12, Ramakrishna Road
Salem - 7
- ... Respondents in all WPs

Prayer in WP No.188 of 2017:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to forthwith pay to the petitioner herein arrears of salary, difference in pension and retirement benefits, viz., Gratuity and commutation, Earned Medical Leave Encashment as per the revised Settlement dated 01.09.2013, share amount due from IRT, Perundurai and all other monetary benefits with interest @ 18% per annum.

Prayer in WP No.189 of 2017:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to forthwith pay to the petitioner herein arrears of salary, difference in pension and retirement benefits, viz., Gratuity and Commutation as per the revised settlement dated 01.09.2013 and all other monetary benefits with interest at the rate of 18% per annum.

Prayer in W.P. No.190 of 2017:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to forthwith pay to the petitioner herein arrears of salary, difference in pension and retirement benefits, viz.,

Gratuity, Provident Fund and Earned Leave encashment as per the revised settlement dated 01.09.2013, share amount due from IRT, Perundurai and all other monetary benefits with interest at the rate of 18% per annum.

For petitioner : Mr. V.R.Rajasekaran
in all WPs

For R1 : Mr. K.Dhananjayan
in all WPs Special Government Pleader

For R2 : Mr. R.K.Gandhi
in all WPs Standing Counsel

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 Selection Grade Conductor/Selection Grade Driver in the respondent Corporation on 30.04.2014, 30.06.2014 and 30.06.2016 respectively, have filed these writ petitions seeking a writ of mandamus directing the respondents to settle arrears of salary, difference in pension and retirement benefits such as Gratuity, Provident Fund, etc., 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 respondents 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. Connected W.M.Ps. are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

cad

To

1. The Principal Secretary to Government
Transport Department
State of Tamil Nadu
Secretariat, Chennai 600 009
2. The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd.
No.12, Ramakrishna Road
Salem - 7

+3cc's to Mr.R.K.Gandhi, Advocate, S.R.Nos.41787 to 41789

+3cc's to Mr.V.R.Rajasekaran, Advocate, S.R.No.41793

+1cc to the Government Pleader, S.R.No.42215

W.P.Nos.188 to 190 of 2017

SAI (CO)
CA(28/06/2017)

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