

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.43143 to 43152 of 2016

G.Punniyakotti .. Petitioner in W.P.No.43143 of 2016
G.Manoharan .. Petitioner in W.P.No.43144 of 2016
P.Arul .. Petitioner in W.P.No.43145 of 2016
R.Raman .. Petitioner in W.P.No.43146 of 2016
R.Ravindra Sankar .. Petitioner in W.P.No.43147 of 2016
K.Venkatesan .. Petitioner in W.P.No.43148 of 2016
E.Jayaraman .. Petitioner in W.P.No.43149 of 2016
S.Chandra Babu .. Petitioner in W.P.No.43150 of 2016
P.Subramani .. Petitioner in W.P.No.43151 of 2016
P.Kannan .. Petitioner in W.P.No.43152 of 2016

-vs-

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602...1st Respondent in all the writ petitions
2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vellore Region
Vellore 632 009 ...2nd respondent in all the writ petitions
3. The Administrator
Tamil Nadu State Transport
Corporation Employees Post Retirement
Welfare Fund Scheme
Thiruvalluvar House,
Pallavan Salai ...3rd Respondent in W.P.Nos.43143 to
Chennai 600 002 ... 43146 & 43149 to 43152 of 2016

W.P.Nos.43143 to 43146, 43149 to 43152 of 2016 are filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment and all other Retirement benefits by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 30.06.2016, 1.7.2016, 31.5.2013 respectively, within the stipulated time as may be fixed by this Hon'ble Court.

W.P.No.43147 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, Leave Surrender (Earned Leave & Old Medical Leave) 1.9.2013, Settlement Arrears, Pension Arrears, ERBS Pension and D.A.Arrears and all other Retirement benefits by calculating D.A.eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 01.07.2014 within stipulated time as may be fixed by this Hon'ble Court.

W.P.No.43148 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, Leave Surrender (Earned Leave & Old Medical Leave) ERBS Pension, D.A.Arrears and all other Retirement benefits by calculating D.A.eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.3.2015 respectively within stipulated time as may be fixed by this Hon'ble Court.

For Petitioners :: Mr.G.Sakthivel

For Respondents :: Mr.K.Venkataramani
Additional Advocate General
assisted by Mr.P.Kannankumar
for the Transport Corporation

ORDER

The petitioners, having retired from service as Conductor/Driver/Senior Tradesman/Checking Inspector/Special Grade Driver in the respondent Corporation on 30.6.2016, 30.6.2016, 30.6.2016, 1.7.2016, 1.7.2014, 1.3.2015, 30.6.2016, 30.6.2016, 30.6.2016, 31.5.2013 respectively, have filed these writ petitions seeking a direction to the respondents to settle the retirement benefits payable to them, as prayed for in the petitions, with interest at 12% per annum.

2. Mr.K.Venkataramani, learned Additional Advocate General assisted by 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 Additional Advocate General for the respondents, 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. The instalments should commence from June, 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.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602
2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vellore Region
Vellore 632 009
3. The Administrator
Tamil Nadu State Transport
Corporation Employees Post Retirement
Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai 600 002

+10 cc's to Mr.G.Sakthivel,advocate,sr.20802

+2 cc's to Mr.P.Kannan kumar,advocate,sr.20268.

rv(co)
krd 17/4

W.P.Nos.43143 to 43152 of 2016