

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.43384 and 43385 of 2016

K.Thulasilingam .. Petitioner in W.P.No.43384/16
S.Selvakumar .. Petitioner in W.P.No.43385/16

-vs-

The Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
Rep. By its Managing Director,
Coimbatore Region, Head Quarters,
37, Mettupalayam Road,
Coimbatore - 43. .. Respondent in W.P.No.43384/16

- 1.The Tamil Nadu State Transport Corporation
(Salem) Limited,
Rep. By its Managing Director,
Salem Region, 12, Ramakrishna Road,
Salem - 7.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem Region, 12, Ramakrishna Road,
Salem - 7. .. Respondents in W.P.No.43385/16

Prayer in W.P.No.43384/17 :-Petitions under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to settle the petitioner's retirement benefit including Leave Surrender Wages, Earned Leave wages and pending Medical Leave Wages paid before the year of 1998 payable to him with reasonable rate of interest.

Prayer in W.P.No.43385/17 :-Petitions under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to settle the petitioner's retirement benefits Provident Fund, Gratuity, Labour Welfare Fund, Leave Surrender Wages, Earned Leave wages and pending Medical Leave Wages paid before the year of 1998 payable to him with reasonable rate of interest.within the time stipulated by this Court.

For Petitioners :: Mr.V.Ajoykhose

For Respondent :: Mr.P.Kannankumar

COMMON ORDER

The petitioners have filed these writ petitions seeking a direction to the respondents to settle their retirement benefits i.e Provident Fund, Gratuity, Earned Leave, etc.

2. Heard the learned counsel for the petitioners. Mr.R.K.Gandhi, learned counsel takes notice for the respondents.

3. Since the issues involved in both these writ petitions are one and the same, they are disposed of by this common order. For better appreciation, facts involved in W.P.No.43384 of 2016 are stated below:

The petitioner joined as Typist on 09.04.1984 and after rendering 27 years of unblemished service, he retired from service on 30.06.2011 on attaining the age of superannuation.

4. Now, the only grievance of the petitioners is that their retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondents.

5. Since the issue is squarely covered by the various orders passed by this Court, in the light 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), these writ petitions are disposed of with a direction to the respondents to settle the entire terminal benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from first week of 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. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rkm

To

1.The Managing Director,
The Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
Coimbatore Region, Head Quarters,
37, Mettupalayam Road,
Coimbatore - 43.

2.The Tamil Nadu State Transport Corporation
(Salem) Limited,
Rep. By its Managing Director,
Salem Region, 12, Ramakrishna Road,
Salem - 7.

3.The General Manager,
The Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem Region, 12, Ramakrishna Road,
Salem - 7.

+1cc to Mr.P.Kannan Kumar, Advocate Sr. 26529

+1cc to Mr.V.Ajay Khose, Advocate Sr. 26079

W.P.Nos.43384 and 43385 of 2016

NM(CO)
VR(16/5/2017)

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