

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. Nos.43392 to 43394 of 2016

S. Narayanamurthi	Petitioner in WP No.43392/2016
K. Sathiaroopan	Petitioner in WP No.43393/2016
M. Subramanian	Petitioner in WP No.43394/2016

vs.

State Express Transport Corporation Ltd.
represented by its Managing Director
No.2, Pallavan Salai
Chennai 600 002 Respondent in all the WPs

Prayer in W.P. No.43392 of 2016:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to settle the terminal benefits of the petitioner, viz., gratuity amount of Rs.10,00,000/-, Surrender of 231 days of earned leave and 79 days of medical leave amounting to Rs.6,82,000/-, commutation amount of Rs.4,81,667/-, leave on private affairs amount of Rs.1,98,000/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering and Perundurai Medical College refund amount of Rs.4,500/-, altogether a sum of Rs.23,96,167/- with interest at the rate of 6% per annum, taking into consideration the petitioner's representation dated 24.11.2016.

Prayer in W.P. No.43393 of 2016:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to settle the terminal benefits of the petitioner, viz., gratuity amount of Rs.6,03,168/-, Surrender of 137.5 days of earned leave and 22.5 days of medical leave amounting to Rs.2,10,345/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering and Perundurai Medical College refund amount of Rs.4,500/-, altogether a sum of Rs.8,48,013/- with interest at the rate of 6% per annum, taking into consideration the petitioner's representation dated 28.11.2016.

Prayer in W.P. No.43394 of 2016:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to settle the terminal benefits of the petitioner, viz., gratuity amount of Rs.7,50,000/-, Surrender of 26.5 days of earned leave and 80 days of medical leave amounting to Rs.1,38,450/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering and Perundurai Medical College refund amount of Rs.4,500/-, altogether a sum of Rs.9,22,950/- with interest at the rate of 6% per annum, taking into consideration the petitioner's representation dated 16.10.2016.

For petitioner Mr. D. Soundarraaj
in all WPs

For respondent Mr. P. Kannan Kumar
in all WPs Standing Counsel

COMMON ORDER

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

2 The petitioners, having retired from service as Assistant Manager/Selection Grade Senior Office Assistant/Selection Grade Senior Driver in the respondent Corporation on 31.03.2016, 31.08.2016 and 31.07.2016 respectively, have filed these writ petitions seeking a writ of mandamus directing the respondent to settle all their terminal benefits such as gratuity, surrender of earned leave and medical leave, social security scheme amount, Erode Engineering and Perundurai Medical College refund amount, etc. with interest, as prayed for by them in the writ petitions.

3 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 retiral benefits in 12 equal monthly instalments with 6% interest per annum, a similar direction may be issued in these writ petitions as well.

4 This Court, recording the statement made by the learned Standing Counsel for the respondent 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 in 12 equal monthly instalments with 6% interest per annum, hereby directs the respondent herein to settle the entire retirement 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 July, 2017 and each of the instalments should 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.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

The Managing Director
State Express Transport Corporation Ltd.
No.2, Pallavan Salai
Chennai 600 002

+3 Ccs to M/s. D. Soundarraaj, sr 26148,26158,26149
+3 Ccs to M/s. P. Kannan Kumar, sr 26535,26536,26537

W.P. Nos.43392 to 43394 of 2016

NRI (CO)
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