

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2017

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THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.Nos.44597 to 44601 of 2016

M.Nagarajan	.. Petitioner in W.P.No.44597 of 2016
D.Kullanji	.. Petitioner in W.P.No.44598 of 2016
G.Rajendran	.. Petitioner in W.P.No.44599 of 2016
G.Purushothaman	.. Petitioner in W.P.No.44600 of 2016
V.V.Subramanian	.. Petitioner in W.P.No.44601 of 2016

-vs-

1.Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Rep. by its Managing Director,
3/137, Salamedu,
Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
3/137, Salamedu, Villupuram Region,
Villupuram - 605 602.

3.The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002. ..Respondents in all
the writ petitions

W.P.No.44597 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 pay the petitioner a sum of Rs.4,68,183/- towards gratuity; a sum of Rs.1,01,465/- towards earned leave salary for 109 days and old medical leave salary for 3 days; a sum of Rs.38,388/- towards arrears of unpaid monthly pension for four months; a sum of Rs.5,343/- towards arrears of difference in D.A. payable along with monthly pension for 13 months and revised monthly pension based on the revision in pension and D.A. from 1.12.2016 with arrears; monthly pension payable under the Post Retirement Benefit Scheme from June 2016, with arrears and other service / terminal benefits, together with interest at the rate of 12% p.a. for all

the above benefits and also to pay the petitioner interest for the belated payment of service/terminal benefits which were already paid.

W.P.No.44598 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 pay the petitioner a sum of Rs.6,13,233/- towards gratuity; a sum of Rs.22,508/- towards earned leave salary for 18 days; a sum of Rs.18,756/- towards earned leave salary for 15 days which was surrendered in the year 2014; a sum of Rs.3,520/- towards arrears of difference in D.A. payable along with monthly pension for 8 months and revised monthly pension, with revised D.A. as revised from time to time from 1.12.2016 with arrears; a sum of Rs.2,45,505/- towards commuted value of pension; monthly pension payable under the Post Retirement Benefit Scheme from June 2016 with arrears; other service / terminal benefits, together with interest at the rate of 12% p.a. for all the above benefits and also to pay the petitioner interest for the belated payment of service / terminal benefits which were already paid.

W.P.No.44599 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 pay the petitioner a sum of Rs.4,98,462/- towards gratuity; a sum of Rs.2,475/- towards earned leave salary for 2 days; a sum of Rs.1,840/- towards arrears of difference in D.A. payable along with monthly pension due to 6% increase in D.A. for 3 months upto November 2016 and revised monthly pension from 1.12.2016 based on the revision in pension and D.A. as revised from time to time with arrears; a sum of Rs.2,05,324/- towards commuted value of pension; a sum of Rs.8,400/- towards difference in bonus for the year 2014-2015; monthly pension payable under the Post Retirement Benefit Scheme from June 2016 with arrears and other service / terminal benefits, together with interest at the rate of 12% p.a. for all the above benefits and also to pay the petitioner interest for the belated payment of service / terminal benefits which were already paid.

W.P.No.44600 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 pay the petitioner a sum of Rs.9,75,207/- towards gratuity; a sum of Rs.3,07,772/- towards earned leave salary for 187 days; a sum of Rs.2,576/- towards arrears of difference in D.A. (due to 6% increase) for 4 months upto November 2016 and revised monthly pension based on the revision in pension and D.A. as revised from time to time from 1.12.2016 with arrears; a sum of Rs.8,400/- towards difference in bonus for the year 2014-2015; monthly pension payable under the Post Retirement Benefit Scheme from August

2016 with arrears and other service / terminal benefits, together with interest at the rate of 12% p.a. for all the above benefits and also to pay the petitioner interest for the belated payment of service / terminal benefits including interest for commuted value of pension, which were already paid to the petitioner.

W.P.No.44601 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 pay the petitioner a sum of Rs.7,00,585/- towards gratuity; a sum of Rs.3,23,304/- towards earned leave salary for 240 days; a sum of Rs.6,736/- towards old medical leave salary for 5 days; a sum of Rs.2,088/- towards arrears of difference in D.A. payable along with monthly pension due to 6% increase in D.A. for 4 months upto November 2016 and revised monthly pension from 1.12.2016 based on the revision in pension and D.A. as revised from time to time with arrears; a sum of Rs.8,400/- towards difference in bonus for the year 2014-2015; a sum of Rs.2,91,512/- towards commuted value of pension; monthly pension payable under the Post Retirement Benefit Scheme from August 2016 with arrears and other service / terminal benefits, together with interest at the rate of 12% p.a. for all the above benefits and also to pay the petitioner interest for the belated payment of service / terminal benefits which were already paid to the petitioner.

For Petitioners :: Mr.V.Ajoy Khose

For Respondents :: Mr.P.Kannan Kumar

COMMON ORDER

The petitioners, having retired from service as Senior Checking Inspector/Special Grade Conductor/Special Grade Driver/Traffic Supervisor in the respondent Corporation on 31.12.2012, 31.03.2016, 30.06.2016, 31.07.2016, 31.07.2016 respectively, have filed these writ petitions seeking a direction to the respondents to settle all the retirement benefits payable to them, as prayed for in the petitions, with interest at 12% per annum.

2. Mr.P.Kannan Kumar, 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 Standing Counsel 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/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

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(Villupuram) Ltd. Rep. by its Managing Director,
3/137, Salamedu,
Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
3/137, Salamedu, Villupuram Region,
Villupuram - 605 602.

3.The Administrator

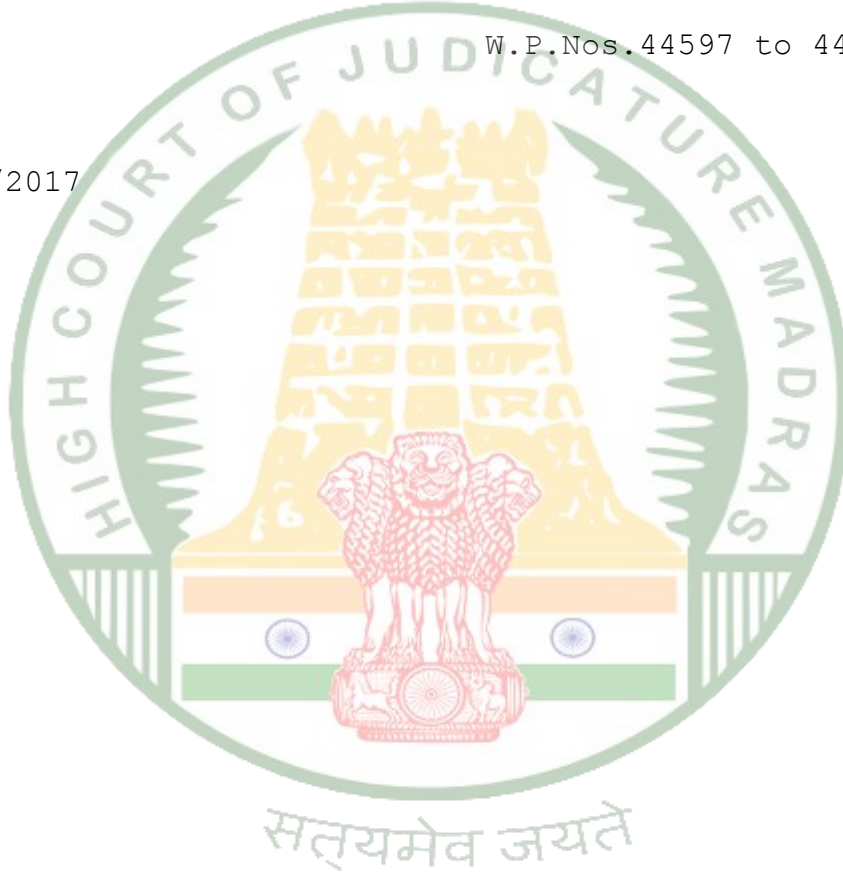
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+2cc to Mr.P.Kannankumar, Advocate SR.20729

+5cc to Mr.V.Ajoy khose, Advocate Sr.20142

W.P.Nos.44597 to 44601 of 2016

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srg 04/05/2017



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