



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.04.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

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W.P. (MD) .Nos.7685 to 7687 of 2017

M.Ramalingam ..Petitioner in W.P(MD)No.7685 of 2017
A.Kaliappan ..Petitioner in W.P(MD)No.7686 of 2017
S.Dakshinamoorthy ..Petitioner in W.P(MD)No.7687 of 2017
Vs.

- 1.The Tamil Nadu State Transport Corporation(Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai -2. .. Respondents in all petitions

PRAYER IN W.P(MD)NO.7685 of 2017: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay pension arrears of the petitioner for the period from 20.04.2000 to 30.06.2016 under the Tamil Nadu State Transport Corporation Employees Pension Fund Rules together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Court.

PRAYER IN W.P(MD)NO.7686 of 2017: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay pension arrears of the petitioner for the period from 30.09.2000 to 30.06.2016 under the Tamil Nadu State Transport Corporation Employees Pension Fund Rules together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Court.

PRAYER IN W.P(MD)NO.7687 of 2017: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay pension arrears of the petitioner for the period from 25.03.2002 to 30.06.2016 under the Tamil Nadu State Transport Corporation Employees Pension Fund Rules together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time



that may be stipulated by this Court.

(In All W.Ps)

For Petitioners

For R-1

For R-2

: Mr.A.Rahul

: Mr.D.Sivaraman,

Standing Counsel for T.N.S.T.C.,

: Mr.A.P.Muthupandian,

Standing Counsel for T.N.S.T.C.,

COMMON ORDER

W.P.(MD)No.7685 of 2017 has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay pension arrears of the petitioner for the period from 20.04.2000 to 30.06.2016 under the Tamil Nadu State Transport Corporation Employees Pension Fund Rules together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Court.

W.P.(MD)No.7686 of 2017 has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay pension arrears of the petitioner for the period from 30.09.2000 to 30.06.2016 under the Tamil Nadu State Transport Corporation Employees Pension Fund Rules together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Court.

W.P.(MD)No.7687 of 2017 has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay pension arrears of the petitioner for the period from 25.03.2002 to 30.06.2016 under the Tamil Nadu State Transport Corporation Employees Pension Fund Rules together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioners and the learned Standing Counsel for T.N.S.T.C., appearing for the respondents.

3. Mr.D.Sivaraman, learned Standing Counsel for T.N.S.T.C., takes notice for the first respondent and Mr.A.P.Muthupandian, learned Standing Counsel for T.N.S.T.C., takes notice for the second respondent. By consent, the Writ petition itself is taken up for final disposal.

4. The petitioners in all these cases seek pension arrears, after retirement under Voluntary Retirement Scheme. It is not in dispute that this Court in a similar case has directed the Corporation to pay the Voluntary Retirement pension and other benefits to all the persons who retired under Voluntary Retirement Scheme.



5. It is further submitted that as per the order passed by this Court and confirmed by Hon'ble Supreme Court, the Government has passed G.O.Ms.No.32 Transport (E) Department, dated 23.02.2015, granting benefits to similarly placed persons. It is contended that the petitioners are also entitled to benefit of G.O.Ms.No.32 Transport (E) Department, dated 23.02.2015. Similar Writ petition filed by the persons who went on Voluntary Retirement Scheme between 01.09.1998 and 23.12.2004 were allowed and the petitioners therein were found entitled to pension arrears in terms of G.O.Ms.No.32 Transport (E) Department, dated 23.02.2015. This Court in similar circumstances has directed the respondents to sanction pension arrears and to pay arrears of pension in six equal monthly installments. However, this Court has directed in the case of person who retired on Superannuation has directed settlement of retirement benefits in 12 monthly installments.

6. Considering the facts in the present case, this Court is inclined to pass the following direction:-

"The second respondent is directed to sanction pension arrears with 6% interest and disburse the same to the petitioners in 12 equal monthly installments and the first installment shall commence from 10th May 2017 and each remaining installments shall be paid on 10th of every succeeding month. The petitioner is entitled to interest at 18% for any default in payment by installments."

7. With the above directions, the Writ petitions are disposed of.

Sd/-
Assistant Registrar(CS III)

/True Copy/

Sub Assistant Registrar

+3cc to Mr.D.Sivaraman, Advocate, SR.Nos.53837, 53838, 53839

+3cc to Mr.A.Rahul, Advocate, SR.Nos.54222, 54220, 54221

W.P(MD) Nos.7685 to 7687 of 2017
25.04.2017

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