

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.27065, 27069 , 27070, 27072, 27089, 27091, 27098,
27107,
27111 of 2018

J.Vincent		Petitioner in WP No.27065 of 2018
S.Venkatachalam		Petitioner in WP No.27069 of 2018
N.Varatharajan		Petitioner in WP No.27070 of 2018
R.Thangan		Petitioner in WP No.27072 of 2018
K.Saminathan		Petitioner in WP No.27089 of 2018
A.P.Rangasamy		Petitioner in WP No.27091 of 2018
V.Rangasamy		Petitioner in WP No.27098 of 2018
N.Karuppasamy		Petitioner in WP No.27107 of 2018
R.Chandrasekaran		Petitioner in WP No.27111 of 2018

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Mettupalayam Road,
Coimbatore - 641 043
 2. The General Manager,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Erode Division, Sennimalai Road,
Erode - 638 001
- Respondents in all Wps

PRAYER IN WP No.27065 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 27.08.2018 to release all his "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6. Sixty days surrender leave submitted during the year 2010 and other retirement benefits as I got retired on superannuation on 30.04.2018 within a stipulated time fixed by this Court.

PRAYER IN WP No.27069 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 23.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6. Sixty days surrender leave submitted during the year 2010 and other retirement benefits as I got retired on superannuation on 28.02.2018 within a stipulated time fixed by this Court.

PRAYER IN WP No.27070 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 29.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6. Sixty days surrender leave submitted during the year 2010 and other retirement benefits as he got retired on superannuation on 30.06.2018 within a stipulated time fixed by this Court.

PRAYER IN WP No.27072 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 23.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6. Modified pension and balance with arrears and other benefits 7. Fourt days surrendered sick leave submitted during the year 1998 and other retirement benefits as I got retired on superannuation on 31.12.2017 within a stipulated time fixed by this Court.

PRAYER IN WP No.27089 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 31.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6. Sixty days surrender leave submitted during the year 2010 and other retirement benefits as he got retired on superannuation on 31.03.2018 within a stipulated time fixed by this Court.

PRAYER IN WP No.27091 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 27.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6.Commutation 7. Modified pension and balance with arrears and other benefits 8. RBSR (Retirement Benefit Scheme Recovery) and other retirement benefits as he got retired on superannuation on 31.03.2018 within a stipulated time fixed by this Court.

PRAYER IN WP No.27098 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 27.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6. Sixty days surrender leave submitted during the year 2010 and other retirement benefits as I got retired on superannuation on 31.05.2018 within a stipulated time fixed by this Court.

PRAYER IN WP No.27107 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 29.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrear 4.Commutation 5. ERBS (Employees Retirement Benefits Scheme), 6. Provident Fund amount 7. Sixty days surrender leave submitted during the year 2010 and other retirement benefits as he got retired on superannuation on 30.04.2018 within a stipulated time fixed by this Court.

PRAYER IN WP No.27111 of 2018 Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents by considering my representation dated 27.08.2018 to release all my "Terminal Benefits" with interest 1. Gratuity 2. Earned Leave surrender amount 3.DA Arrears 4. ERBS (Employees Retirement Benefits Scheme), 5. Provident Fund amount 6. Sixty days surrender leave submitted during the year 2010 and other retirement benefits as I got retired on superannuation on 31.05.2018 within a stipulated time fixed by this Court.

For Petitioner's	:	Mr.C.Masilamani
in all WPs		
For Respondents	:	Mr.P.Kannan Kumar
in all WPs		Standing Counsel

O R D E R

The grievance of the petitioners is the inaction on the part of respondents to consider the representations with regard to release of their terminal benefits with interest. Though the petitioners were already retired from service, have made representations in this regard to release their retiral benefits for which they are entitled to. But till date no decision on the same having been taken and therefore, the petitioners have come to this Court seeking for a direction to the respondents to release the retiral benefits along with interest from the date of their retirement till the date of realization.

2. The learned counsel appearing for the petitioner submits that since the respondents are guilty of inaction in not disposing of their representations and hence, they come to this Court seeking the aforesaid relief and as such, these writ petitions be disposed of with necessary direction to the respondents to consider their representations.

3. The learned counsel appearing for respondents submits that if such representations are pending, the respondents shall take an informed and considered decision in accordance with law within a reasonable period but this Court should not put any fetter on the respondents to consider the representations in any particular manner.

4. Considering the facts and submissions made, this Court without seeking any reply affidavit dispose of these writ petitions with a direction to the respondents to take an informed and considered decision on such representations of the petitioners in its own merit and in accordance with law, if the same is pending, within a period of eight weeks from the date of receipt of copy of this order. However, it is made clear that this Court has not expressed any opinion on the merits of such representation in any manner.

5. With the aforesaid direction, these writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar

Rka

To

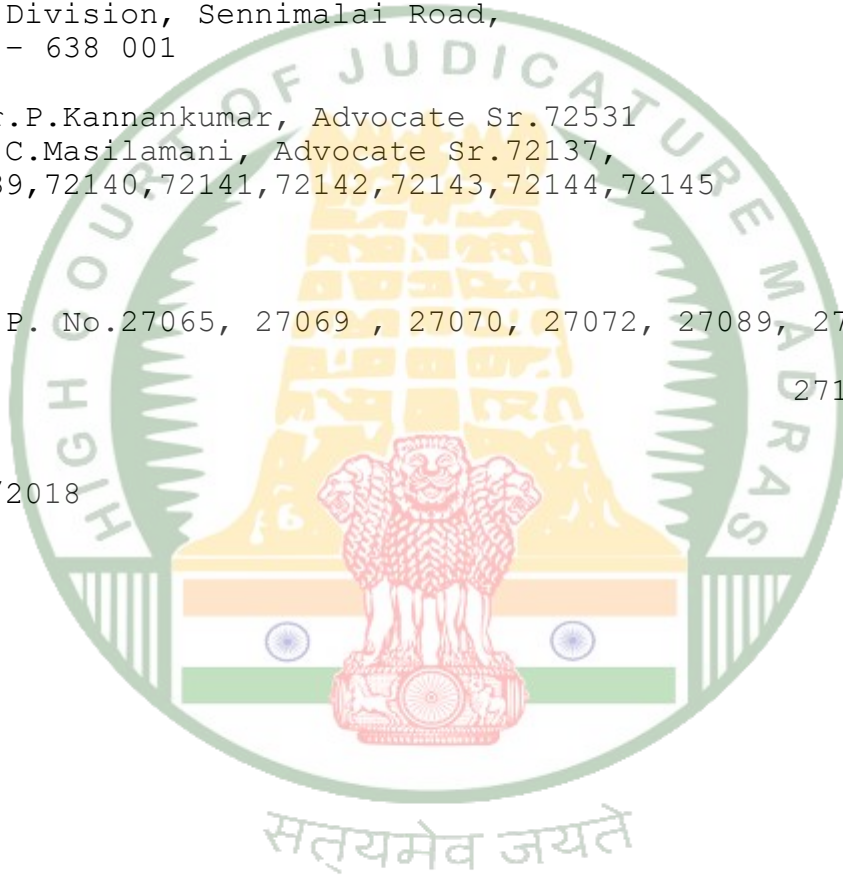
1. The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
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Coimbatore - 641 043

2. The General Manager,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Erode Division, Sennimalai Road,
Erode - 638 001

+1cc to Mr.P.Kannankumar, Advocate Sr.72531
9cc to Mr.C.Masilamani, Advocate Sr.72137,
72138,72139,72140,72141,72142,72143,72144,72145

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