



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Eleventh day of October Two Thousand Eighteen

WEB COPY

PRESENT

THE HON`BLE MRS JUSTICE PUSHPA SATHYANARAYANA

WMP (MD) Nos.9897 to 9910 of 2016

IN

WP (MD) Nos.8036 to 8049 of 2016

THE TAMIL NADU STATE TRANSPORT
CORPORATION (KUMBAKONAM) LTD.
REP. BY ITS MANAGING DIRECTOR
KUMBAKONAM

.. Petitioner No.1 in all WMPs

THE GENERAL MANAGER
THE TAMIL NADU STATE TRANSPORT
CORPORATION (KUMBAKONAM) LTD.
TRICHY REGION TRICHY.

.. Petitioner No.2 in WMP (MD).9897, 9899,
9901, 9902, 9905, 9906, 9907, 9908,
9909, 9910 of 2016

THE GENERAL MANAGER,
THE TAMIL NADU STATE TRANSPORT
CORPORATION LTD.,
KARAIKUDI REGION, KARAIKUDI.

..Petitioner No.2 in
WMP (MD) .9898/2016

THE GENERAL MANAGER,
THE TAMIL NADU STATE TRANSPORT
CORPORATION (KUMBAKONAM) LTD.,
NAGAPATTINAM REGION, NAGAPATTINAM.

..Petitioner No.2 in
WMP (MD) .9900 & 9903/2016

THE GENERAL MANAGER,
THE TAMIL NADU STATE TRANSPORT
CORPORATION (KUMBAKONAM) LTD.,
PUDUKOTTAI REGION. PUDUKOTTAI.

..Petitioner No.2 in
WMP (MD) .9904 of 2016

Vs

V.KARUNANIDHI

... RESPONDENT NO.1 IN WMP (MD) No.9897/16

M. MUNIYASAMY

... RESPONDENT NO.1 IN WMP (MD) No.9898/16

N.SELVARAJU

... RESPONDENT NO.1 IN WMP (MD) No.9899/16

R.DEVARAJ

... RESPONDENT NO.1 IN WMP (MD) No.9900/16

T.RADHAKRISHNAN

... RESPONDENT NO.1 IN WMP (MD) No.9901/16

K.MANOCHARAN

... RESPONDENT NO.1 IN WMP (MD) No.9902/16



S.RAJENDRAN	... RESPONDENT NO.1 IN WMP (MD) No.9903/16
PON.RAJAMANICKAM	... RESPONDENT NO.1 IN WMP (MD) No.9904/16
P.MOOKKAPILLAI	... RESPONDENT NO.1 IN WMP (MD) No.9905/16
M.GANESAN	... RESPONDENT NO.1 IN WMP (MD) No.9906/16
S. RATHINAM	... RESPONDENT NO.1 IN WMP (MD) No.9907/16
R.MANI	... RESPONDENT NO.1 IN WMP (MD) No.9908/16
K.MOHANARENGADOSS	... RESPONDENT NO.1 IN WMP (MD) No.9909/16
K. RAJAN	... RESPONDENT NO.1 IN WMP (MD) No.9910/16

THE ADMINISTRATOR
 THE TAMIL NADU STATE TRANSPORT CORPORATION PENSION FUND TRUST,
 THIRUVALLUVAR HOUSE, PALLAVAN SALAI,
 CHENNAI 600 002 ..RESPONDENT NO.2 IN ALL CASES

Prayer in WMP(MD)Nos. 9897 to 9910/ 2016 :

Writ Miscellaneous Petitions are filed Under Article 226 of Constitution of India, praying this Hon'ble Court to modify the order passed in WP(MD) Nos.8036 to 8049 of 2016 dated 25.04.2016 by permitting the Petitioners herein to pay the amount due to the Respondent No.1 in 12 equal monthly installments commencing from 10th June, 2016.

Prayer in WP(MD)Nos.8036 to 8049/2016:

These petitions are filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the Respondents to pay entire terminal benefits payable to the petitioner including salary arrears in terms of settlement from

01.09.2013 to 31.03.2014	-Commuted Value of Pension, Leave Salary (WP(MD) No.8036 of 2016)
01.09.2013 to 31.01.2015	-Gratuity, Leave Salary (WP(MD) No.8037 of 2016)
01.09.2013 to 31.01.2015	-Commuted Value of Pension, Leave Salary (WP(MD) No.8038 of 2016)
01.09.2013 to 30.04.2015	-Gratuity, Commuted Value of Pension, Leave Salary (WP(MD) No.8039 of 2016)
01.09.2013 to 30.04.2015	- Leave Salary (WP(MD) No.8040 of 2016)
01.09.2013 to 31.05.2015	- Leave Salary (WP(MD) No.8041 of 2016)
01.09.2013 to 30.06.2015	-Gratuity, Commuted Value of Pension, Refund of Institute of Road Transport Contribution amount, Leave Salary (WP(MD) No.8042 of 2016)
01.09.2013 to 31.08.2015	-Provident Fund, Gratuity, Commuted value of pension, Leave Salary (WP(MD) No.8043 of 2016)
01.09.2013 to 31.10.2015	-Commuted value of Pension, Leave Salary (WP(MD) No.8044 of 2016)



WEB COPY

01.09.2013 to 30.11.2015 -Provident Fund, Gratuity, Commuted Value of Pension, and Earned Leave Salary (WP(MD) No.8045 of 2016)

01.09.2013 to 31.12.2015 -Provident Fund, Commuted value of pension, Refund of Institute of Road Transport contribution amount, Leave Salary (WP(MD) No.8046 of 2016)

01.09.2013 to 31.01.2016 -Provident Fund, Commuted value of Pension, Employees Social Protection Scheme amount, Leave Salary (WP(MD) No.8047 of 2016)

01.09.2013 to 31.01.2016 -Provident Fund, Commuted Value of Pension, Refund of Institute of Road Transport Contribution amount, Leave Salary (WP(MD) No.8048 of 2016)

01.09.2013 to 31.01.2016 -Provident Fund, Commuted value of pension, Refund of Institute of Road Transport contribution amount, Leave Salary (WP(MD) No.8049 of 2016)

respectively in terms of the Settlement 12(3) of the Industrial Disputes Act dated 13.04.2015 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 Hon'ble Court.

ORDER : These petitions coming on for hearing on this day, upon perusing the affidavit and grounds and upon hearing the arguments of Mr.D.SIVARAMAN, Advocate for the petitioner in all cases, and of Mr.A.RAHUL, Advocate for Respondents in all cases, this court made the following order:-

These petitions have been filed to modify the order dated 25.04.2016 passed in W.P(MD)Nos.8036 to 8049 of 2016.

2. It is submitted by the learned counsel appearing for the appellants that in paragraph No.5 of the order, dated 25.04.2016, it is stated that the respondents are directed to pay the amount due to the petitioners in 12 equal installments commencing from 10th May, 2016, instead of 10th June, 2016. Hence, the same may be modified.

3. In view of the same, these Writ Miscellaneous Petitions are ordered and paragraph No.5 of the order, dated 25.04.2016 is modified as follows:-

"5.Following the Judgment of the Hon'ble Division Bench of this Court referred to above, the respondents are directed to pay the amount due to the petitioners in 12 equal installments commencing from 10th June, 2016. Further, if settlements or awards, the Corporation is obliged to take the same into account while arriving at the figure. It is needless to mention that the entire arrears shall carry interest at the rate of 6% per annum. In case of delay in



making installments, the interest payable could be 18% for the delayed period."

4. The Registry is directed to carry out the necessary amendment and issue corrected order copy to the petitioners.

WEB COPY

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS-II)

TO

- 1 THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION,
(KUMBAKONAM) LTD., KUMBAKONAM.
- 2 THE ADMINISTRATOR,
TAMILNADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST, THIRUVALLUVAR HOUSE,
PALLAVAN SALAI, CHENNAI-600 002

+1. C.C. to M/S.D.SIVARAMAN, Advocate SR.No.90685

ORDER DATED :11/10/2018

WMP (MD) NOS.9897 TO 9910 OF 2016
IN WP (MD) NOS.8036 TO 8049 OF 2016

PS

TE/TE/RSK/SAR-2 : 29/11/2018 : 4P/4C