



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P. (MD) Nos. 12051, 12063 & 12078 of 2020

(Through Video Conferencing)

V. Ganesan	...	Petitioner in W.P. (MD) No. 12051/2020
K. Selvakumar	...	Petitioner in W.P. (MD) No. 12063/2020
V. M. Ilango	...	Petitioner in W.P. (MD) No. 12078/2020

Vs.

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.
2. The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Pudukottai Region,
Pudukottai. ... Respondents in W.P (MD). No. 12063 of 2020
3. The Administrator
Tamil Nadu State Transport Corporation Employees Pension Fund Trust
Thiruvalluvar illam
Pallavan Salai
Chennai. ... Respondents in all W.Ps.

COMMON PRAYER : Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writs of Mandamus to direct the respondents to settle all terminal benefits payable to the petitioners including Gratuity, Provident Fund, Terminal leave salary, commuted value of pension and difference in dearness allowance of monthly pension as revised from time to time together with interest at the rate of 18% per annum payable from the date of their retirement from the service of the 1st respondent corporation to till date on which the above benefits are settled to him.



For Petitioners :Mr.A.Rahul

For Respondents :Mr.P.M.Vishnuvardhanan
standing counsel

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COMMON ORDER

The issue raised in all these writ petitions are common. Therefore, with the consent of learned counsel for both sides, all these writ petitions were heard together and are being disposed of by this common order.

2. The petitioners in all these writ petitions were working as Conductors at the respondent Corporation and after serving for long years, they retired on superannuation on the following dates:

S.No.	Petitioner's name	Date of Superannuation
1	V.Ganesan	31.05.2019
2	K.Selvakumar	31.05.2019
3	V.M.Ilangovan	30.09.2019

3. Though they retired a year back, till date, the retiral benefits, have not been paid by the respondent Corporation, despite the representation has been made in this regard and last such representation they have made separately to the respondent was on 19.06.2020. Therefore, the learned counsel for the petitioners seeks indulgence of this Court to issue a direction to the respondents to pay the retiral benefits of the petitioners at the earliest.

4. Heard the learned standing counsel for the respondents, who would submit that, the said representation dated 19.06.2020 individually submitted by the petitioners would be considered and accordingly, the retiral benefits payable to each of the petitioners would be calculated and be paid to them by 12 equal monthly installments and the first installment shall be commenced from October 2020.

5. Considering the said submissions made by both sides, especially, the learned standing counsel for the respondents and taking into account the factual matrix of these cases, this Court is inclined to pass the following orders:

"That the respondents are hereby directed to consider the representation dated 19.06.2020 individually given by each of the petitioners to the respondents and accordingly, calculate the retiral benefits payable to each of the petitioners and the same shall be disbursed by way of 12 equal monthly installments and the first installment shall be commenced from October '2020 and shall continue to pay till the completion of the payment. It is made



clear that, the right of the petitioners to claim interest for the belated payment is left open."

6. With these directions, these writ petitions are disposed of. No costs.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.

2. The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Pudukottai Region, Pudukottai.

3. The Administrator
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust
Thiruvalluvar illam
Pallavan Salai, Chennai.

+3 CC to M/s.P.M. VISHHNUVARTHANAN, Advocate (SR-17480, 17478, 17479[F] dated 18/09/2020)

W.P. (MD) No. 12051, 12063 & 12078 of 2020

18.09.2020

SE (CO)

NR (07/12/2020) 3P : 7C

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