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R.O.C.No.83588-A/2017/F1



P.Dis.No: 109 / 2017

Dated: 06/12/2017

From

R.Sakthivel, B.A., B.L.,
Registrar General,
High Court,
Madras.

To

Sir,

Sub: High Court's Order dated 20.11.2017 passed in
W.P(MD) No.10126/2017 - Submitted - Ordered to
communicate - Reg.

As directed, I am to enclose herewith the High Court's Order
dated 20.11.2017 passed in W.P(MD) No.10126/2017, for
information and compliance.

Yours faithfully,

R. Sakthivel
06/12/2017
REGISTRAR GENERAL

To

- 1 All the Principal District Judges/District Judges. }
} with request
- 2 The Principal Judge, City Civil Court, Chennai. }
} to communicate
} the enclosed
3. The Chief Judge, Court of Small Causes, Chennai. }
} Order to all
} the Judicial
4. The District Judge-cum-Chief Judicial Magistrate, The Nilgiris. }
} Officers under
} your jurisdiction.
5. The Chief Judge, Puducherry. }
6. The Director, Tamil Nadu State Judicial Academy, R.A.Puram, Chennai-28.
7. The Court Manager, High Court, Madras(with a request to communicate the enclosed order to all the Court Managers in Tamil Nadu and Puducherry through e-mode.)
8. The Section Officer, "F" Section, Madurai Bench, Madurai.
9. The Record Keeper, A.D.Records, High Court, Madras & Madurai.

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Twentieth day of November Two Thousand Seventeen

PRESENT

THE HON'BLE MR JUSTICE S.MANIKUMAR

AND

THE HON'BLE MR JUSTICE M.GOVINDARAJ

WP (MD) NO.10126 OF 2017

THE VACATION OFFICER
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI.

[PETITIONER]

VS

1. UNION OF INDIA REPRESENTED,
BY ITS HOME SECRETARY,
NEW DELHI.

[RESPONDENTS]

2. THE STATE OF TAMIL NADU,
REP. BY ITS CHIEF SECRETARY,
FORT ST. GEORGE, CHENNAI 600 009

3. THE PRINCIPAL SECRETARY TO THE GOVERNMENT
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
CHENNAI 600 002.

4. THOLILALAR MUNNETTRA SANGA PERAVAI (LPF),
KALAINARAGAM, NO.25, THIYAGARAAR STREET,
CHENNAI 17

5. TAMIL NADU ARASU POKKUVARATHU
OOLIYAR SAMMELANAM (CITU),
NO.52, GOOKS ROAD, OTTERI,
CHENNAI 12.

6. TAMIL NADU ARASU POKKUVARATHUKALAGANGALIN
THOLILALARGAL
SAMMELANAM (AITUC), NO.2,
KALAIYARANGAM,
PALLAVAN SALAI, CHENNAI 8

7. TAMIL NADU SALAI POKKUVARATHU
THOLILALARGAL PERAVAI (HMS), NO.193/B,
RAILWAY COLONY, GANDHI ERWIN ROAD,
EGMORE, CHENNAI-8

cg 0074107

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8. TAMIL NADU ARASU POKKUVARATHUKALAGA
PANIYALARGAL SAMMELANAM (TISF),
TAMIL NADU ARASU
POKKUVARATHUKALAGA COMPLEX,
RING ROAD, MADURAI 10

9. DESIYA MURPOKKU THOLIRSANGAM
PERAVAI (DMTSP),
TAMIL NADU ARASU POKUVARATHUKALAGA COMPLEX,
175/7, NEHRU STREET, 100 FEET ROAD,
KOYAMBEDU, CHENNAI 107.

10. MARUMALARCHI THOLILALAR MUNNANI (MLF)
12, THAYAGAM, RUKMANI LAKSHMIPARTY ROAD,
EGMORE, CHENNAI 8

11. PATTALI THOLILARSANGA PERAVAI (PTS),
12/2, AADHAM SAHIB STREET,
RAYAPURAM, CHENNAI 13

12. ARIVAR AMBEDKAR POKKUVARATHU
THOLILALAR VIDUTHALA MUNNAI (AALLF),
342, RAJA NAGAR, NARTH PUTHUOPATTU POST,
AAMBUR SUGAR MILL OPPOSITE,
VELLORE DISTRICT.

(R4 TO R12 ARE SUC MOTU IMPLEADED
VIDE COURT ORDER DT. 26/05/2017/
IN WP(MD) 10126/17)

13. THE STATE TRANSPORT CORPORATION AND
TRANSPORT COPORATIONS,
RETIRED EMPLOYEES WELFARE ASSOCIATION
REP. BY ITS PRESIDENT
S.KRISHNAN, NO.2
PALLAVAN SALAI, CHENNAI

(R13 IS SUC MOTU IMPLEADED VIDE
COURT ORDER DT.30/05/2017
IN WP(MD)10126/17)

Writ Petitions under Article 226 of the Constitution of India
praying that in these circumstances stated therein and in the
respective affidavits filed therewith the High Court will be
pleased to issue a writ of mandamus to direct the respondents
herein to take effective and emergent steps to disburse the
retirement benefits to the workers of the transport corporation,
Government of Tamil Nadu (IN WP(MD).10126/2017)

Order : This petition coming on for orders upon perusing the
petition and the affidavit filed in support thereof and upon
hearing the arguments of THE VACATION OFFICER MADURAI BENCH OF

CG 0074035

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MADRAS HIGH COURT for the petitioner and of MR.N.VIJAYANARAYANAN, Advocate General for the Government and of MR.AJAY KHOSE Advocate for the 5th respondent the court made the following order:-

(ORDER OF THE COURT WAS MADE BY S.MANIKUMAR, J.)

On this day, when the matter came up for further hearing, on the basis of G.O. Ms. No.471 Transport (T.1) Department dated 18.11.2017, Mr.N.Vijaynarayan, learned Advocate General, submitted that, a sum of Rs.462.2158 Crores, has been sanctioned as ways and means advance i.e. a sum of Rs.267.5358 Crores as ways and means advance to all State Transport Corporation Undertakings, towards settlement statutory dues to the retired employees and a further sum of Rs.194.68 Crores as ways and means, to all State Transport Corporation Undertakings towards Motor Vehicle Accident compensation amount awarded by the Courts/Tribunals to the victims, as the second and final settlement as detailed in the above Government Order.

2. Learned Advocate General further submitted that insofar as Motor Accident victim cases are concerned, final installement, as assured to this court has been sanctioned. A sum of Rs.462.2158 Crores sanctioned in G.O. Ms. No.471 Transport (T.1) Department dated 18.11.2017, would be disbursed within a week from today. Submission of the learned Advocate General is placed on record. G.O. Ms. No.471 Transport (T.1) Department dated 18.11.2017, shall form part of this order.

3. Learned Advocate General has further submitted that the Government have directed the Under Secretary to Government, Transport Department, to present necessary bills with reference to paragraph 6 of the above Government Order to Pay and Accounts Office, Chennai - 9, and draw an account payee cheque in favour of the Public Deposit Account No.6184513279 of the Tamil Nadu Transport Development Finance Corporation Limited and disburse the same to the Tamil Nadu Transport Development Finance Corporation Limited.

4. Paragraph No.14 of the Government order, reads thus:
"14. The Managing Directors of all State Transport Undertakings are directed to settle the above amount as per the seniority and send the utilisation certificate to Government. The Managing Director/Financial Advisor & Chief Accounts Officer of the concerned State Transport Undertakings are strictly instructed that the fund allotted should only be utilised for settling MCOP cases and statutory dues and should not be used for any other purposes."

5. On instructions, learned Advocate General, further submitted that on receipt of the amount from the Government, the Managing Directors of all State Transport Corporation Undertakings, would deposit the compensation amount to the respective Courts/Tribunals dealing with motor accident claim cases, which in

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turn, would deposit the compensation awarded by the Tribunals, to the account of the claimants, by RTGS or such other method.

6. Placing on record the submissions of the learned Advocate General and the gesture shown by the Government of Tamil Nadu in disbursing compensation to the accident victims/differently abled/legal representatives of the deceased, as the case may be, on the deposit of compensation amount by the Managing Directors of all the State Transport Corporation undertakings in each district, we are of the view that the courts/tribunals dealing with motor accident cases, would transfer/disburse the compensation amount finally determined, by Tribunals/High Court, a list stated to be with the Managing Directors of each Division, to the account of accident victims/differently abled/legal representatives of the deceased, as the case may be, within a period of one week from the date of deposit.

7. Registry is directed to send a copy of this order to all the courts/tribunals dealing with the motor accident claims cases.

Post the matter on 24.11.2017 at 2.15 p.m.

-sd/-

20/11/2017

/ TRUE COPY /

Shankar
Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1. THE HOME SECRETARY
UNION OF INDIA NEW DELHI.

2. THE CHIEF SECRETARY
GOVERNMENT OF TAMIL NADU,
FORT ST. GEORGE, CHENNAI 600 009

3. THE PRINCIPAL SECRETARY TO THE GOVERNMENT
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
CHENNAI 600 002.

4. MR.P.W.C.DAVIDAR, IAS.,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT,
SECRETARIAT, CHENNAI 600 009

5. THE SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT, GOVERNMENT OF TAMIL NADU,
FORT ST. GEORGE, CHENNAI.

CG 0074037

6 THE REGISTRAR (JUDICIAL)
HIGH COURT, MADRAS.

7 THE SECTION OFFICER,
'F' SECTION HIGH COURT, MADRAS.

8 THE REGISTRAR GENERAL,
HIGH COURT MADRAS-104.

The Advocate General, High Court, Chennai.

C.C. to MR.PARAMASIVADOSS Advocate SR.NO.14037

Order

in

WF(MD).10126/2017

Date 20/11/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
T.R (09/06/2017) T.R (20/06/2017)
T.R (22/06/2017) T.R (31/08/2017)
KP(04.09.2017) (IT) VS 08.09.2017 (I.T)
VS 13.10.2017 (I.T) VS 09.11.2017
SDR 21.11.2017 (IT)