

IN THE HIGH COURT OF JUDICATURE AT MADRAS

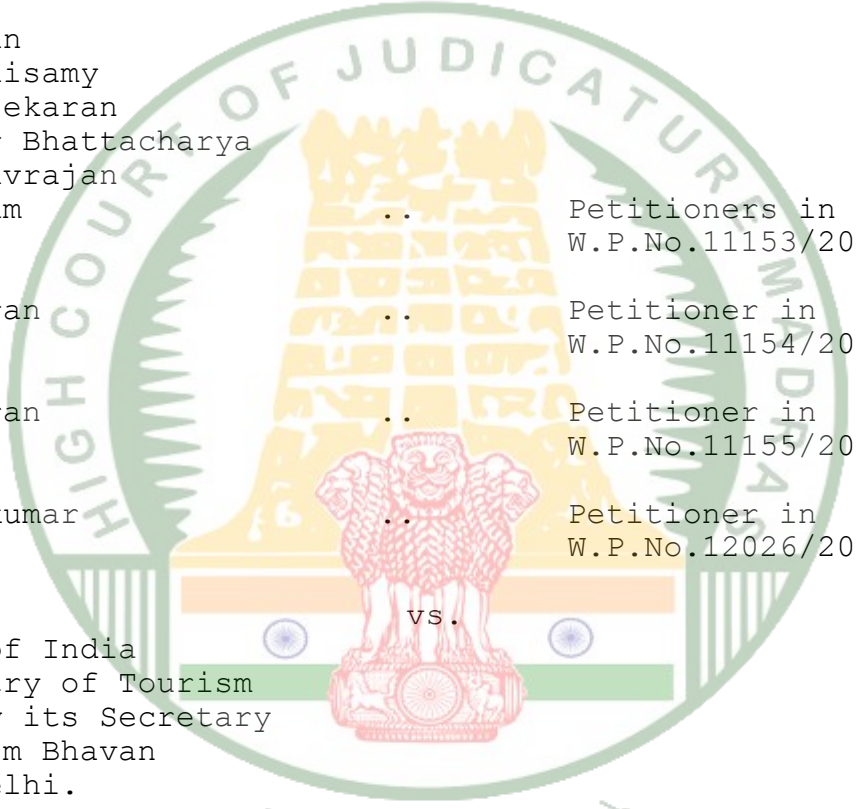
DATED: 17.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.Nos. 11153 to 11155 of 2002
and

W.P.M.P.No.15071 & 15072 of 2002
and W.P.No.12026 of 2002

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1. D.Seshan
2. T.Palanisamy
3. M.Rajasekaran
4. Bhaskar Bhattacharya
5. R.Mathavrajan
6.A.S.Sajam Petitioners in
W.P.No.11153/2002
- S.Selvendran Petitioner in
W.P.No.11154/2002
- P.Maheswaran Petitioner in
W.P.No.11155/2002
- T.Senthilkumar Petitioner in
W.P.No.12026/2002
- vs.
1. Union of India
Ministry of Tourism
rep.by its Secretary
Tourism Bhavan
New Delhi.
- 2.The Management of India
Tourism Development Corporation Ltd.,
Rep.by its Chairman & Managing Director
Scope Complex, Core '8', 6th Floor,
No.7, Lodi Road, New Delhi - 110 003.
3. Madurai Hotels Pvt. Ltd.
rep.by its Chairman and Managing Director
Alagar Koil Road, Madurai - 625 002.
4. Sangu Chakra Hotels Pvt. Ltd.
O/o.Sangam Hotels
Collector office Road,
Trichy - 620 001.

5.V.Vasudevan .. Respondents 1 to 5 in all WPs.

6. Sekar

7. Sridhar

8. Gopal .. Respondents 6 to 8 in W.P.No.12026/2002

Prayer in W.P.No.11153/2002: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of declaration, declaring that the petitioners herein are entitled to the protection of Article 9.4 of the share purchase agreement entered into between the second respondent ITDC and the third and fourth respondents and further direct the third, fourth and fifth respondents not to terminate the services of the petitioners for a period of 12 months in accordance with the Article 9.4 (iii) of the share purchase agreement and in the event of termination after the period of one year, the respondents 2, 3 & 4 to undertake such termination only after giving the petitioners the benefits which are higher (a) the voluntary retirement scheme benefit applicable to the second respondent as on 31.01.2002 and (b) than the benefit/compensation required to be statutorily given to an employee under applicable law.

Prayer in W.P.Nos.11154 & 11155/2002: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of declaration, declaring that the petitioner herein is entitled to the protection of Article 9.4 of the share purchase agreement entered into between the second respondent ITDC and the third and fourth respondents and further direct the third, fourth and fifth respondents not to act in accordance with the Article 9.4 (iii) of the share purchase agreement.

Prayer in W.P.No.12026/2002: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of declaration, declaring that the petitioner herein is entitled to the protection of Article 9.4 of the share purchase agreement entered into between the second respondent ITDC and the third and fourth respondents and further direct the third, fourth and fifth respondents not to act in accordance with the Article 9.4 (iii) of the share purchase agreement.

For Petitioners in
all WPs.

: Mr.T.Ramkumar

For Respondent
Nos.1 & 2 in all WPs.

: Mr.D.Ramesh Kumar
ACGSC

For Respondent
No.3 to 5 in all WPs.

: Mr.Kandhan Duraisamy

C O M M O N O R D E R

It is represented by the learned counsel for the respondents 3 to 5 that the petitioners have already entered into settlement with the management and got full and final settlement. The learned counsel has also filed a consolidate typed set of papers including the copies of the settlement.

In view of the submission of the learned counsel for the respondents 3 to 5, these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

1. The Secretary
Union of India
Ministry of Tourism
Tourism Bhavan
New Delhi.

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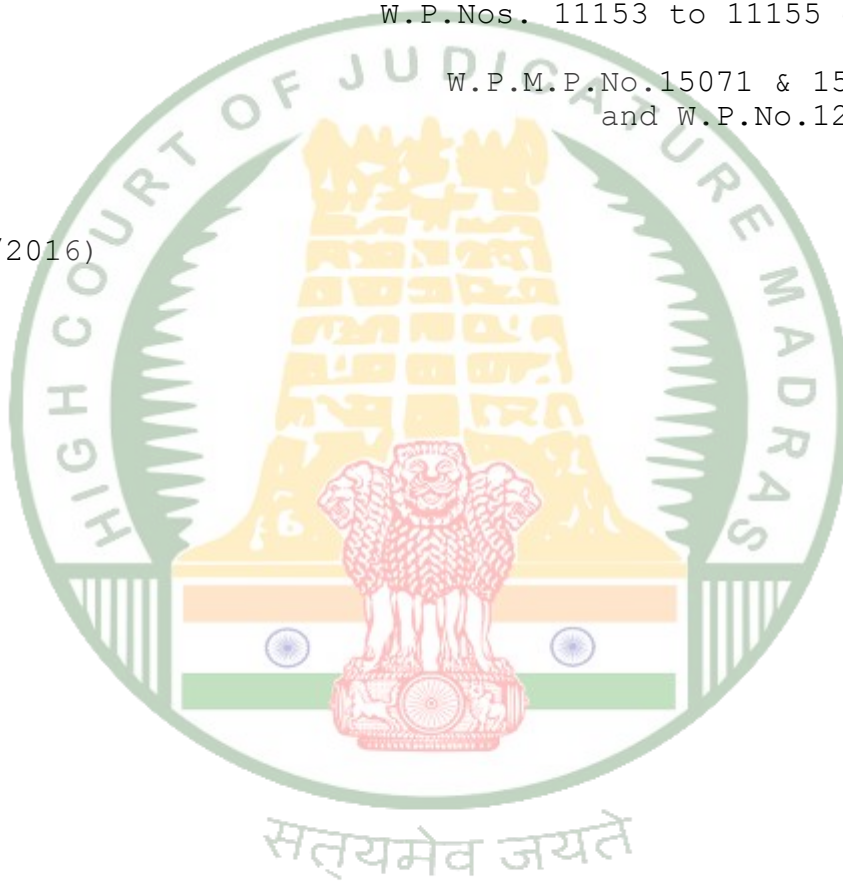
2.The Chairman & Managing Director
The Management of India
Tourism Development Corporation Ltd.,
Scope Complex, Core '8', 6th Floor,
No.7, Lodi Road, New Delhi - 110 003.

+1cc to Mr.Muthumani Doraisamy, Advocate, S.R.No.68017
+1cc to Mr.Ramesh kumar, Advocate, S.R.No.68241
+1cc to Mr.Sodalai Kannu, S.R.No.68249

W.P.Nos. 11153 to 11155 of 2002

and
W.P.M.P.No.15071 & 15072 of 2002
and W.P.No.12026 of 2002

mg (CO)
srg (07/01/2016)



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