

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.10212 and 10213 of 2016

M.Balasubramanian [Petitioner in W.P.No.10212/2016]
S.S.Shanmugam [Petitioner in W.P.No.10213/2016]

Vs.

The Management of
TamilNadu State Transport Corporation (Kovai) Ltd
Rep.by its Managing Director
Coimbatore.

[Respondent in both W.Ps]

Prayer in W.P.No.10212 of 2016: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondent to pay the petitioner Rs.3,51,135/- towards Gratuity and Rs.1,40,070/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honble Court.

Prayer in W.P.No.10213 of 2016: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondent to pay the petitioner Rs.6,74,201/- towards Gratuity and arrears of salary for the period from 01.09.2013 to 31.07.14 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum within a time frame as may be fixed by this Honble Court.

For Petitioner in both W.Ps. : Mr.R.Krishnaswamy

For Respondent in both W.Ps : Mr.P.Kannan Kumar

COMMON ORDER

Heard the learned counsel for the petitioners and Mr.P.Kannan Kumar, learned counsel who took notice for the respondent and with their consent, the main writ petitions are taken up for hearing.

2. These writ petitions have been filed seeking a writ of mandamus directing the respondent to pay Gratuity and leave salary amount together with interest @ 18% per annum to the petitioners, within the time frame.

3. The petitioner in O.P.No.10212 of 2016, who was appointed in the respondent Corporation as a Driver on 10.5.1985, retired from service on 31.5.2013, on reaching the age of superannuation. But, he has not yet been disbursed with part of the retiral benefits. Likewise, the petitioner in O.P.No.10213 of 2016, who was appointed in the respondent Corporation as a Driver on 15.01.1980, retired from service on 31.7.2014 and he has also not been furnished with the entire retiral benefits. Therefore, they have given an individual representation dated 3.3.2016 to the respondent, stating the details of non-payment of amounts in respect of gratuity and Earned Leave salary.

4. Though the prayer sought for by the petitioners in these Writ Petitions is for a larger extent, the learned counsel for the petitioners confined his relief to the limited extent of directing the respondent to consider the representation of the petitioners.

5. Hence, the respondent is directed to consider the representation made by the petitioners on 3.3.2016 on merits and in accordance with law and pass orders, within a period of six weeks from the date of receipt of a copy of this order.

The writ petitions are disposed of with the above direction. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

ajr

To

The Managing Director

Management of TamilNadu State Transport Corporation (Kovai) Ltd
Coimbatore.

2 ccs to M/s. V. Ajay Khose, Advocate, Sr. 17510

2 ccs to M/s. P. Kannan Kumar, Advocate, Sr. 17988, 17987

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RSI (CO)

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