

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.35577 and 35578 of 2016

A.Gnanavel Petitioner in W.P.35577/2016

P.Nithiyanantham Petitioner in W.P.35578/2016

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Limited,
37, Mettupalayam Road,
Corporate Office,
Coimbatore.. Respondent in both W.Ps

Prayer in W.P.No.35577 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the surrender leave salary i.e. Earned leave balance as on 30.04.2011 with interest at 12% per annum with effect from 01.04.2016 within stipulated as may be fixed by this Court.

Prayer in W.P.No.35578 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the surrender leave salary i.e. Earned leave balance as on 31.12.2010 with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Court.

For Petitioner in both W.Ps : Mr.I.C.Vasudevan

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

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2. The writ petitions have been filed seeking Mandamus directing the respondent to settle the retirement benefits, due to the petitioners, with interest, within the time that may be stipulated time by this Court.

3. The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondents requesting to pay all the retirement benefits. But, the same have not been considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioners and the learned counsel who take notice for the respondent.

5. The issue involved in the present writ petitions is squarely covered by the judgment of the Division Bench of the Madurai Bench of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others).

6. Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to the petitioners herein, in twelve equal monthly instalments, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015. It is also made clear that the first instalment shall commence from 01.01.2017.

7.With the above direction, the present writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar
// True Copy //

Sub Assistant Registrar

To

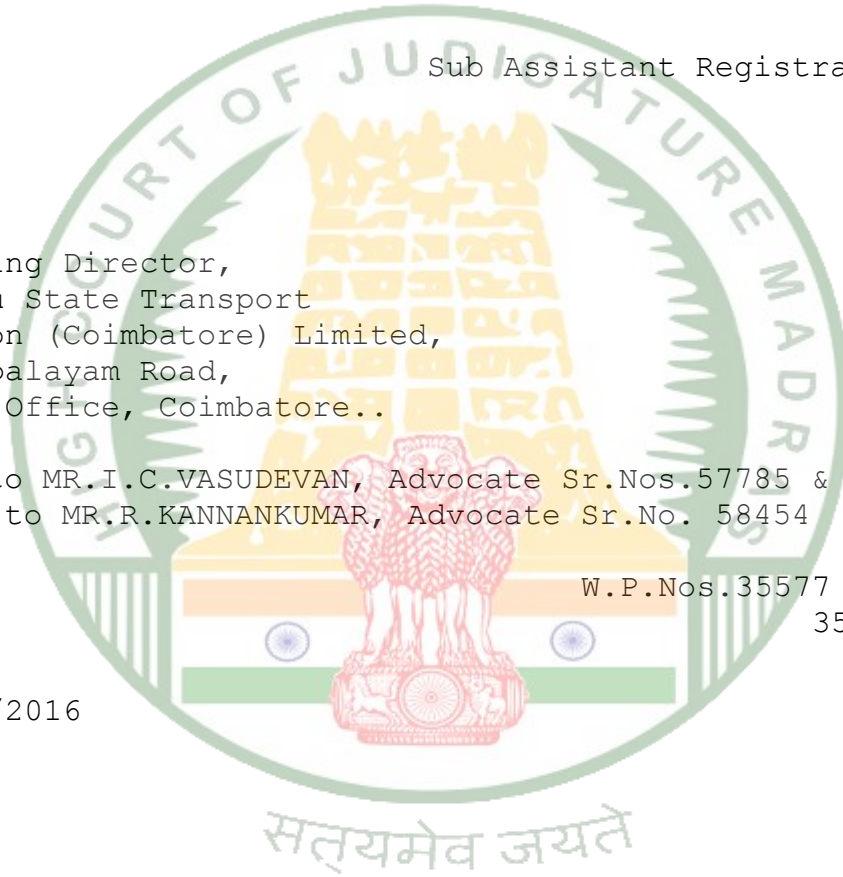
The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Limited,
37, Mettupalayam Road,
Corporate Office, Coimbatore..

- 2 c.cs to MR.I.C.VASUDEVAN, Advocate Sr.Nos.57785 & 57786
- + 1 c.c to MR.R.KANNANKUMAR, Advocate Sr.No. 58454

W.P.Nos.35577 and
35578 of 2016

GR(CO)

RRI 12/11/2016



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