

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.37105 to 37112 of 2016

W.P.No.37105 of 2016:

N.Duraisamy ... Petitioner

vs.

The Management of Tamil Nadu
State Transport Corporation
(Kovai) Ltd.,
rep. by its Managing Director,
Erode Region, Erode. ... Respondent

W.P.No.37106 of 2016:

R.Periyasamy
S/o.Ramasamy 58 Santhan Karukku 1st Street
Soorampatti Post
Erode District. ...Petitioner

Vs

The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd.
Rep. by its Managing Director Erode Region
Erode. ...Respondent

W.P.No.37107 of 2016

P.Easwaramoorthy
S/o.Palanisamy 22 Velan Nagar Periya
Semur Post Erode District. ...Petitioner

Vs

The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd.
Rep. by its Managing Director Erode Region
Erode. ...Respondent

W.P.No.37108 of 2016

T.Russel Raj
S/o.Thangaraj A-2 Transport Nagar
Lakkapuram Post Erode District.

...Petitioner

Vs

The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd.
Rep. by its Managing Director Erode Region
Erode.

...Respondent

W.P.No.37109 of 2016

K.Rajendran
S/o.Karuppannan 79/3 Vinayagar Kovil
Street Telephone Nagar Moolapalaiayam Post
Erode-2.

...Petitioner

Vs

The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd.
Rep. by its Managing Director Erode Region
Erode.

...Respondent

W.P.No.37110 of 2016

A.Mani
S/o.Appachi Gounder 375/8 Nehru Nagar
Punjai Puliyampatti Erode District.

...Petitioner

Vs

The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd.
Rep. by its Managing Director Erode Region
Erode.

...Respondent

W.P.No.37111 of 2016

C.Raju
S/o.Chinnanna Gounder 1041/6 Sakthi Nagar
4th Street Kalingarayanpalaiyam Pavani
Post Erode District.

... Petitioner

Vs

The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd.
Rep. by its Managing Director Erode Region
Erode.

...Respondent

W.P.No.37112 of 2016

T.Shanmugam
S/o.Thambannan 37 New Jeeva Nagar 3rd
Street Muthalipalaiyam Manoor Post
Thiruppur District.

...Petitioner

Vs

The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd.
Rep. by its Managing Director Erode Region
Erode.

...Respondent

Prayer in W.P.No.37105 of 2016

Writ petition No.37105 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to pay the petitioner Rs.4,12,626/- towards EPF Employee's Contribution, a sum of Rs.7,07,538/- towards gratuity and Rs.18,000/- towards leave salary together with 18% interest per annum within a time frame as may be fixed by this Court.

Writ Petitions are filed Under Article 226 of the Constitution of India, praying for a Writ of Mandamus

Prayer in W.P.No.37106 of 2016

Directing the respondent to pay the petitioner Rs.5,40,510/- towards Gratuity Rs.5,07,930/- towards E.P.F. Employees Contributions and Rs.3,20,178/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

Prayer in W.P.No.37107 of 2016

Directing the respondent to pay the petitioner Rs.6,30,164/- towards Gratuity Rs.3,80,352/- towards E.P.F. Employees Contributions and Rs.90,720/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

Prayer in W.P.No.37108 of 2016

Directing the respondent to pay the petitioner Rs.5,39,211/- towards Gratuity Rs.4,11,588/- towards E.P.F. Employees Contributions and Rs.2,14,380/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

Prayer in W.P.No.37109 of 2016

Directing the respondent to pay the petitioner Rs.6,73,624/- towards Gratuity Rs.5,09,776/- towards E.P.F. Employees Contributions and Rs.2,41,056/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

Prayer in W.P.No.37110 of 2016

Directing the respondent to pay the petitioner Rs.5,85,175/- towards Gratuity Rs.1,64,467/- towards E.P.F. Employees Contributions and Rs.3,02,679/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

Prayer in W.P.No.37111 of 2016

Directing the respondent to pay the petitioner Rs.9,80,984/- towards Gratuity Rs.9,61,204/- towards E.P.F. Employees Contributions and Rs.3,48,610/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

Prayer in W.P.No.37112 of 2016

Directing the respondent to pay the petitioner Rs.6,29,117/- towards Gratuity Rs.2,95,744/- towards E.P.F. Employees Contributions and Rs.3,756/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

For Petitioner :Mr.V.Ajoykhose
in all the writ petitions
For Respondents :Mr.S.Sairaman,
in all the writ petitions.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners joined the services of the Transport Corporation and they retired from service long before. The grievance of the petitioners is that though they retired from service long before, till date, they were not paid with the retirement benefits. In this regard, the petitioners submitted representations before the respondent, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petitions have been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned counsel, who has taken notice on behalf of the respondent.

4. 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).

5. 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 1.1.2017.

6. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

+1cc to M/S.S.Sairaman, Advocate sr.61522

+1cc to M/S.V.Ajoy Khose, Advocate Sr.60417

W.P.Nos.37105 to 37112 of 2016

sm[co]

srg 01/11/2016