

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.10.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.37508 and 37509 of 2016

A.Nithyanandan

... Petitioner in
W.P.No.37508/2016

V.S.Karunakaren

... Petitioner in
W.P.No.37509/2016

vs.

1.The Management,
Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore.

... Respondents in
both the writ petitions.

Writ petition No.37508 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the petitioner a sum of Rs.5,30,480/- towards gratuity and a sum of Rs.4,47,860/- towards leave salary and all other retirement benefits, etc. within the time stipulated by this Court.

Writ petition No.37509 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the petitioner a sum of Rs.7,19,826/- towards gratuity and all other retirement benefits such as provident fund, earned leave and medical leave, etc. within the time stipulated by this Court.

For Petitioner : Mr.V.Sivakumar,
in both the writ petitions

For Respondents : Mr.P.Kannan Kumar,
in both 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 respondents, 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 respondents.

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 respondents are 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, both the writ petitions are disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

To

1.The Managing Director,,
Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore.

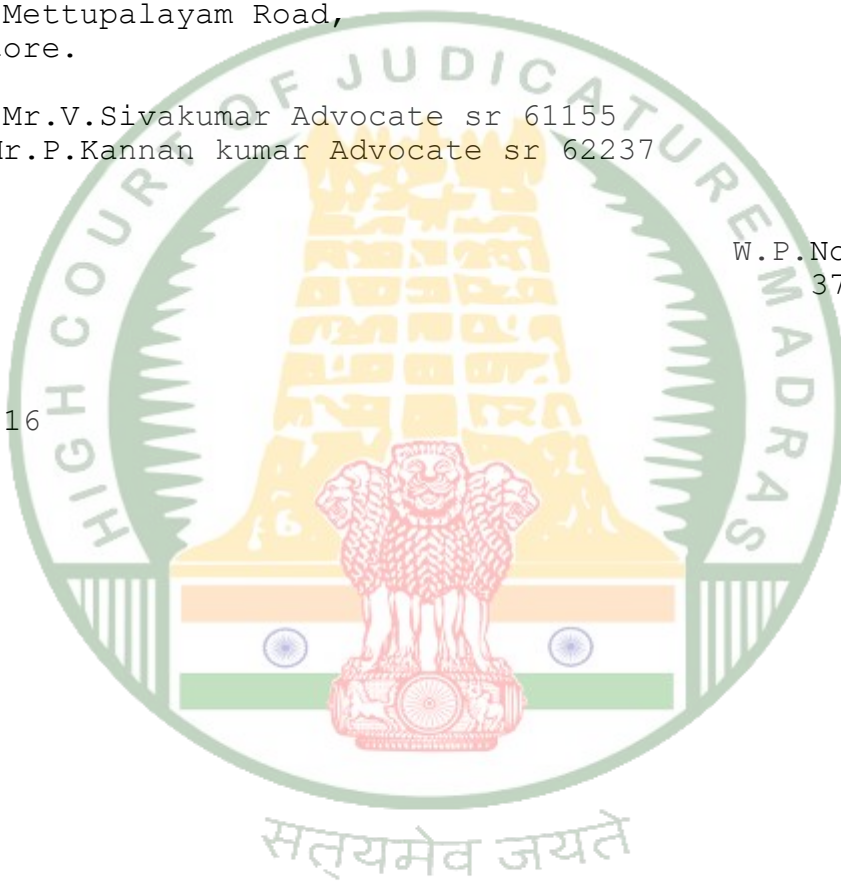
2.The General Manager,
Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore.

+2 ccs to Mr.V.Sivakumar Advocate sr 61155

+1 cc to Mr.P.Kannan kumar Advocate sr 62237

W.P.Nos.37508 to
37509 of 2016

rs1(co)
aa23/11/2016



WEB COPY