

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38310 to 38324 of 2016

W.P.No.38310 of 2016

C.Ramasamy

..Petitioner

vs.

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

..Respondent

Prayer:-Writ Petition 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.4,15,509/- towards Gratuity and Rs.25,386/- towards Leave Salary, together with 18% interest p.a., within a time frame fixed by this Court.

W.P.No.38311 of 2016

A.Mylsamy

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.4,78,022/- towards Gratuity and Rs.1,63,157/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court;

W.P.No.38312 of 2016

P.Natarajan

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.2,63,546/- towards Gratuity and Rs.1,77,101/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court

W.P.No.38313 of 2016:

K.Kuppuswamy

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.3,61,665/- towards Gratuity and Rs.58,162/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

W.P.No.38314 of 2016:

R.Ponnusamy

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.3,66,966/- towards Gratuity and Rs.84,346/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

W.P.No.38315 of 2016:

V.Manickam

[PETITIONER]

Vs

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

[RESPONDENTS]

Prayer:-Writ Petition 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.6,56,957/- towards Gratuity and Rs.27,000/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court

W.P.No.38316 of 2016:

R.Subramaniam

[PETITIONER]

Vs

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

[RESPONDENTS]

Prayer:-Writ Petition 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.6,32,714/- towards Gratuity and Rs.95,948/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

W.P.No.38317 of 2016:

A.Kalyani

[PETITIONER]

Vs

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

[RESPONDENTS]

Prayer:-Writ Petition 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.4,58,014/- towards Gratuity and Rs.4,22,800/- towards Leave Salary together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Amount Rs.5,36 519/- for the period from 30.4.15 to 22.2.16 at the rate as per EPF Scheme within a time frame as may be fixed by this Honourable court.

W.P.No.38318 of 2016:

P.Rangasamy

[PETITIONER]

Vs

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

[RESPONDENTS]

Prayer:-Writ Petition 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.8,66,654/- towards Gratuity and Rs.49,478/- towards Leave Salary together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution amount Rs.2,87,519/- for the period from 31.5.2015 to 14.6.2016 at the rate as per EPF Scheme within a time frame as may be fixed by this Honourable Court

W.P.No.38319 of 2016:

P.Shanmugaraj

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.7,03,641/- towards Gratuity and Rs.1,77,364/- towards Leave Salary together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution amount Rs.4,13,727/- for the period from 31.5.2015 to 1.6.2016 at the rate as per EPF Scheme within a time frame as may be fixed by this Honourable Court.

W.P.No.38320 of 2016:

R.Dhandapani

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.5,66,585/- towards Gratuity and Rs.3,14,656/- towards EPF Contributions and Rs.63,492/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

W.P.No.38321 of 2016:

K.Velusamy

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.3,78,497/- towards Gratuity and Rs.1,77,830/- towards EPF Contributions and Rs.3 51 209/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court

W.P.No.38322 of 2016:

A.Thamburaj

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.7,65,613/- towards Gratuity and Rs.2,86,845/- towards EPF Employees Contributions together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

W.P.No.38323 of 2016:

P.Selvarajan

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer:-Writ Petition 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.5,99,162/-towards Gratuity and Rs.2,53,998/- towards EPF Employees Contributions and Rs.1,15,846/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

W.P.No.38324 of 2016:

S.Sampath

[PETITIONER]

Vs

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

Prayer:-Writ Petition 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.6,95,778/- towards Gratuity and Rs.2,30,670/- towards EPF Employees Contributions and Rs.5,256/- 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 Respondent : Mr.P.Kannan Kumar
in all the writ petitions.

COMMON ORDER

By consent, the 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 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 01.02.2017.

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

Sd/-
Assistant Registrar(CS III)

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Sub Assistant Registrar

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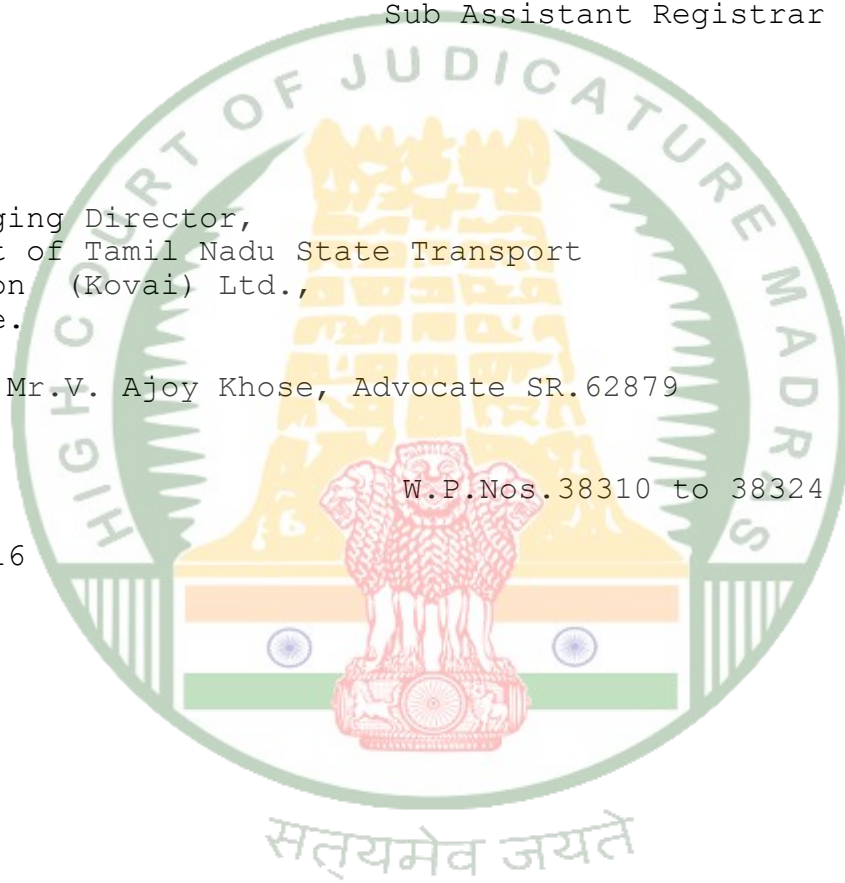
To

The Managing Director,
Management of Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
Coimbatore.

+ 1 cc to Mr.V. Ajoy Khose, Advocate SR.62879

W.P.Nos.38310 to 38324 of 2016

PK(CO)
Eu 07.11.16



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