

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41182 to 41190 of 2016

W.P.No.41182 of 2016

P.Ayyasamy	... Petitioner in WP.41182/16
M. Thangavelu	...Petitioner in WP.41183/2016
P. Devaraj	...Petitioner in WP.41184/2016
R. Veluswamy	...Petitioner in WP.41185/2016
S.M. Rathinasamy	...Petitioner in WP.41186/2016
T.P. Duraisamy	...Petitioner in WP.41187/2016
L. Sundar	...Petitioner in WP.41188/2016
M. Ebinezer	...Petitioner in WP.41189/2016
A. Gopal	...Petitioner in WP.41190/2016

vs.

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

WP.41182/2016

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.7,45,200/- towards Gratuity, Rs.7,46,667/- towards E.P.F. Employee's Contributions and Rs. 1,63,896/- towards Leave Salary, together with 18% interest p.a., with a time frame fixed by this Court.

WP.41183/2016

Prayed that this Hon'ble court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.8 58 860/- towards Gratuity Rs.7 35 056/- towards E.P.F. Employees Contributions and Rs.1 54 500/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court

WP.41184/2016

Prayed that this Hon'ble Court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.6 74 035/- towards Gratuity Rs.2 53 781/- towards

E.P.F. Employees Contributions and Rs.55 625/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

WP.No.41185/2016

Prayed that this Hon'ble court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.6 93 744/- towards Gratuity Rs.7 85 660/- towards E.P.F. Employees Contributions and Rs.16 212/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

WP.No.41186/2016

Prayed that this Hon'ble court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.4 93 111/- towards Gratuity Rs.3 37 574/- towards E.P.F. Employees Contributions and Rs.40 973/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

WP.No.41187/2016

Prayed that this Hon'ble court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.7 17 522/- towards Gratuity Rs.2 12 479/- towards E.P.F. Employees Contributions and Rs.15 771/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

WP.No.41188/2016

Prayed that this Hon'ble Court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.6 57 331/- towards Gratuity Rs.6 37 826/- towards E.P.F. Employees Contributions and Rs.3 82 072/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court

WP.No.41189/2016

Prayed that this Hon'ble Court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.7 08 849/- towards Gratuity Rs.2 92 335/- towards E.P.F. Employees Contributions and Rs.1 48 844/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable court.

WP.No.41190/2016

Prayed that this Hon'ble court may be pleased to issue appropriate Writs, Orders or directing the respondent to pay the petitioner Rs.4 81 421/- towards Gratuity Rs.3 03 730/- towards E.P.F. Employees Contributions and Rs.85 547/- 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

//True Copy//

Sub Assistant Registrar

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To

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

+1cc to Mr.V. Ajoy Khose , Advocate, S.R.No.68203

+2cc to Mr.S. Kannan Kumar, Advocate, S.R.No.70044

sm(CO)
md(16/12/2016)

W.P.Nos.41182 to 41190/2016

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