

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.11.2016
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.41964 and 41965 of 2016

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|-------------|-------------------------------------|
| 1. R.Daniel | ... Petitioner in W.P.No.41964/2016 |
| 2. K.Manian | ... Petitioner in W.P.No.41965/2016 |

Vs.

- | | |
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| 1. The Management,
Tamilnadu State Transport
Corporation (Kovai) Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore. | |
| 2. The General Manager,
Tamilnadu State Transport
Corporation (Kovai) Ltd.
No.37, Mettupalayam Road,
Coimbatore. | ... Respondents in both W.Ps. |

Prayer in W.P.No.41964 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the petitioner a sum of Rs.6,51,536/- towards gratuity and a sum of Rs.1,25,995/- towards earned leave and all other retirement benefits, etc. within the time stipulated by this Court.

Prayer in W.P.No.41965 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the petitioner a sum of Rs.4,43,112/- towards gratuity and a sum of Rs.3,00,000/- towards earned leave and all other retirement benefits, etc. within the time stipulated by this Court.

For Petitioner in W.Ps.	: Mr.V.Sivakumar
For Respondents	: 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 respondents to settle the retirement benefits, due to the petitioners, along with interest.

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 takes notice for the respondents.

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 respondents are directed to disburse the aforementioned retiral benefits to the petitioner 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.

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

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1. The Managing director,
Management,
Tamilnadu State Transport
Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore.

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

+2 cc's to V.Sivakumar, advocate, sr.70418, 419.

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