



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P. (MD) Nos. 24714 to 24717 of 2016

C. Krishnan	... Petitioner in W.P. 24714/16
J. Yesumani	... Petitioner in W.P. 24715/16
S. Rajagopal	... Petitioner in W.P. 24716/16
S. Essakimuthu	... Petitioner in W.P. 24717/16

vs.

The General Manager,
Tamil Nadu Transport Corporation,
Tirunelveli Region,
Tirunelveli.

... Respondent in all WPs

Prayer in W.P. 24714/16 : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondent to pay Rs. 30,299/- with interest @ 10% from 31.12.2013 till the date of payment and the interest alone for the entire amount of Rs. 4,27,066/- from 01.05.2012 to 30.12.2013 within a time frame to be fixed by this Hon'ble Court.

Prayer in W.P. 24715/16 : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the Respondent to pay Rs. 74,218/- with interest @ 10% from 31.12.2013 till the date of payment and the interest alone for the entire amount of Rs. 3,87,222/- from 01.01.2012 to 30.12.2013 within a time frame to be fixed by this Hon'ble Court.

Prayer in W.P. 24716/16 : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the Respondent to pay Rs. 12,647/- with interest @ 10% from 31.12.2013 till the date of payment and the interest alone for the entire amount of Rs. 2,98,114/- from 01.05.2012 to 30.12.2013 within a time frame to be fixed by this Hon'ble Court.

Prayer in W.P. 24717/16 : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the Respondent to pay Rs. 18,118/- with interest @ 10% from 31.12.2013 till the date of payment and the interest alone for the entire amount of Rs. 4,27,066/- from 01.03.2012 to 30.12.2013 within a time frame to be fixed by this Hon'ble Court.

COMMON ORDER

The petitioners were employed in the respondent transport corporation and retired from service. Pursuant to the request of the petitioners, the respondent paid a portion of the gratuity amount payable to each of the petitioners and they made several representations to disburse the balance gratuity amount with interest and the interest for the gratuity amount already settled. The said representations were not considered. Hence, they have filed these writ petitions.

2. When the writ petitions came up for hearing, learned counsel for the petitioners submitted that the petitioners have consented for 6% interest for the balance gratuity amount to be settled and the gratuity amount already settled.

3. Learned standing counsel for the respondent submitted that a direction may be issued to disburse the balance gratuity amount payable to the petitioners with interest and the interest for the gratuity amount already settled, in installments.

4. Recording the submission made on either side, the respondent is directed to disburse the petitioners Rs.30,299/-, Rs.74,218/-, Rs.12,647/- and Rs.18,118/- respectively, with 6% interest from 31.12.2013 and the interest alone for the entire amount of Rs.4,27,066/- from 01.05.2012 to 30.12.2013, Rs.3,87,222/- from 01.01.2012 to 30.12.2013, Rs.2,98,114/- from 01.05.2012 to 30.12.2013 and Rs.4,27,066/- from 01.03.2012 to 30.12.2013 respectively, by instalments.

In the first instalment, 25% of the entire amount shall be paid on or before 10.01.2017 and in the second instalment, another 25% of the entire amount shall be paid on or before 01.02.2017. In the third instalment, the balance 50% of the entire amount shall be paid on or before 01.03.2017, without any default.

With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To
The General Manager,
Tamil Nadu Transport Corporation, Tirunelveli Region, Tirunelveli.
+4ccs to Mr.K.Sathiya Singh, Advocate, SR.Nos.82853 to 82856
+3ccs to M/s.D.Geetha, Advocate, SR.Nos.83365 to 83367

nbi

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