

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.44709 to 44717 of 2016

W.P.No.44709 of 2016

N.Nanjundan

.. Petitioner

-vs-

The Management of
Tamil Nadu State Transport Corporation
(Kovai) Limited,
Rep. By its Managing Director,
Coimbatore. ..Respondent

Prayer in W.P.No.44709 of 2016 :-Petitions under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to pay the petitioner Rs.9,26,432/- towards gratuity, Rs.7,95,006/- towards EPF Employee's contributions and Rs.2,04,895/- towards leave salary, together with 18% interest per annum.

W.P.No.44710 of 2016:

1 B.Raju S/o.Belli Gowder [PETITIONER]
3/159 Edapalli Village Neelagiri District

Vs

1 The Management of [RESPONDENT]
Tamilnadu State Transport Corporation
(Kovai) Ltd Rep by Managing Director
Coimbatore

Prayer

WRIT OF MANDAMUS directing the respondent to pay the petitioner Rs.9 52 145/- towards Gratuity Rs.15 46 634/- towards E.P.F. Employees Contributions and Rs.5 08 562/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court and thus render justice.

W.P.No.44711 of 2016:

1 K.Selvaraj S/o.Kaliyannan [PETITIONER]
1159 kamban Nagar R.S.Puram Coimbatore

Vs

1 The Management of [RESPONDENT]
Tamilnadu State Transport Corporation
(Kovai) Ltd Rep by Managing Director
Coimbatore

Prayer

WRIT OF MANDAMUS directing the respondent to pay the petitioner
Rs.6 10 027/-
towards Gratuity Rs.2 87 026/- towards E.P.F. Employees
Contributions and Rs.1 47 355/- towards Leave Salary together
with 18% interest per annum within a time frame as may be fixed
by this Honourable Court and thus render justice.

W.P.No.44712 of 2016:

1 Y.S.Narayanan S/o.Subramanian [PETITIONER]
2/239 Edapalli Village Kunnur Taluk
Neelagiri District

Vs

1 The Management of [RESPONDENT]
Tamilnadu State Transport Corporation
(Kovai) Ltd Rep by Managing Director
Coimbatore

Prayer

WRIT OF MANDAMUS directing the respondent to pay the petitioner
Rs.6 57 935/- towards Gratuity Rs.4 85 349/- towards E.P.F.
Employees Contributions and Rs.25 735/- towards Leave Salary
together with 18% interest per annum within a time frame as may
be fixed by this Honourable Court and thus render justice.

W.P.No.44713 of 2016:

1 K.Mayilsamy [PETITIONER]
S/o.Kamatchi Chettiyar 3/36 Garden Road
Vembadi Valasu Post Pollachi Taluk
Coimbatore District

Vs

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

[RESPONDENT]

Prayer

WRIT OF MANDAMUS directing the respondent to pay the petitioner Rs.6 78 111/- towards Gratuity Rs.9 38 252/- towards E.P.F. Employees Contributions and Rs.37 851/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court and thus render justice.

W.P.No.44714 of 2016:

1 K.Mariyappan
S/o.Kaliyappa Gounder 52/39 Sakthi
Vinayagar Kovil street Mahalingapuram Post
Pollachi Taluk Coimbatore District

[PETITIONER]

Vs

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

[RESPONDENT]

Prayer

WRIT OF MANDAMUS directing the respondent to pay the petitioner Rs.6 40 521/- towards Gratuity Rs.5 03 192/- towards E.P.F. Employees Contributions and Rs.1 71 407/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court and thus render justice.

W.P.No.44715 of 2016:

1 M.Krishnasamy
S/o.Muthukali Velar 3/328 Vinayaga Nagar
Extension Makkinampatti Post Pollachi
Taluk Coimbatore District

[PETITIONER]

Vs

1 The Management of [RESPONDENT]
Tamilnadu State Transport Corporation
(Kovai) Ltd Rep by Managing Director
Coimbatore

Prayer

WRIT OF MANDAMUS directing the respondent to pay the petitioner Rs.10 96 362/- towards Gratuity Rs.8 56 209/- towards E.P.F. Employees Contributions and Rs.1 56 509/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court and thus render justice.

W.P.No.44716 of 2016:

1 S.Arivazhagan [PETITIONER]
S/o.Subbaih Gounder 2/33 Vellala Palaiyam
Pollachi Taluk Coimbatore District

Vs

1 The Management of [RESPONDENT]
Tamilnadu State Transport Corporation
(Kovai) Ltd Rep by Managing Director
Coimbatore

Prayer

WRIT OF MANDAMUS Directing the respondent to pay the petitioner Rs.6 94 960/- towards Gratuity Rs.5 97 303/- towards E.P.F. Employees Contributions and Rs.23 321/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court and thus render justice.

W.P.No.44717 of 2016:

1 S.Jeyaraju [PETITIONER]
S/o.Subbaih Gowder 4/160 Mathampalaiyam
Punjaipuliyampatti Post Sathiyamangalam
Taluk Erode District

Vs

1 The Management of [RESPONDENT]
Tamilnadu State Transport Corporation
(Kovai) Ltd Rep by Managing Director
Coimbatore

Prayer

WRIT OF MANDAMUS Directing the respondent to pay the petitioner Rs.6 94 960/- towards Gratuity Rs.5 78 689/- towards E.P.F. Employees Contributions and Rs.1 47 477/- towards Leave Salary together with 18% interest per annum within a time frame as may be fixed by this Honourable Court and thus render justice.

For Petitioners :: Mr.V.Ajoykhose

For Respondents :: Mr.P.Kannankumar

COMMON ORDER

The petitioners have filed these writ petitions seeking a direction to the respondents to settle their retirement benefits i.e Provident Fund, Gratuity, Earned Leave, etc.

2. Heard the learned counsel for the petitioners. Mr.P.Kannankumar, learned counsel takes notice on behalf of the respondent.

3. Since the issues involved in all these writ petitions are one and the same, they are disposed of by this common order. For better appreciation, facts involved in W.P.No.44709 of 2016 are stated below:

The petitioner joined as Conductor on 11.07.1980 and after rendering 35 years of unblemished service, he retired from service on 31.01.2016 on attaining the age of superannuation.

4. Now, the only grievance of the petitioners is that their retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondent.

5. Since the issue is squarely covered by the various orders passed by this Court, in the light of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others), these writ petitions are disposed of with a direction to the respondents to settle the entire terminal benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from July, 2017 and each

of the instalments should be paid on or before 7th of each month. In case of any delay in the payment of the instalments, the interest payable would become 18% p.a. for the delayed period apart from any other remedy which may be available to the petitioners for such non-payment of the instalments. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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

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

+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.26526

W.P.Nos.44709 to 44717 of 2016

RK(CO)
RS(24/05/2017)

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