

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2015

CORAM

THE HON'BLE **MR.JUSTICE R.MAHADEVAN**

Writ Petition No. 14928 of 2015

R.Annamalai

..Petitioner

-Vs-

The Managing Director
Tamil Nadu State Transport Corporation (VPM) Limited
3/137, Salamedu-Village
Valuthareddy-Post
Villupuram District.

..Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to pay the Gratuity amount and encashment of Leave on Private Affair as per Government Finance (BPE) Department Letter No.37568/BPE/2006, dated 28.01.2008 with interest of 18% on delayed payment.

For petitioner : Mr.D.Veerasekaran

For respondent : Mr.D.Venkatachalam

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. According to the petitioner, on 23.05.1983, he joined in service as Superintendent Legal in the erstwhile Mardhupandiar Transport Corporation, Karaigudi, Sivagangai District, now

amalgamated with the Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Thanjavur District. Subsequently, the petitioner was transferred to respondent Corporation on 09.11.1988 as Senior Superintendent Legal. Thereafter, the petitioner got further promotions and he retired from service on 28.02.2013 on attaining the age of superannuation. Consequently, the petitioner was paid a sum of Rs.3,12,627/- towards Provident Fund and he was paid a sum of Rs.5,00,000/- towards Unavailed Earned Leave Salary. Now, the grievance of the petitioner is that inspite of his representation dated 21.08.2014, till date, the respondent has not taken any steps to pay the Gratuity amount of Rs.10,00,000/- and encashment of Unearned Leave on Private Affairs of Rs.1,80,000/- and hence, the petitioner has come forward to file the present Writ Petition.

3. Mr.D.Veerasekaran, learned counsel appearing for the petitioner would submit that inspite of the representation submitted by the petitioner as early as on 21.08.2014, the respondent has not chosen to respond and hence, prays for appropriate orders.

4. Mr.D.Venkatachalam, learned counsel appearing for the respondent would submit that necessary and appropriate direction may

be issued to the respondent to pass orders as expeditiously as possible.

5. This Court taking into consideration of the fact that claiming for settlement of the Gratuity amount and encashment of Unearned Leave on Private Affairs, the petitioner has submitted his representation dated 21.08.2014, but, till date, the respondent has not chosen to take any step to either dispose of the representation of the petitioner dated 21.08.2014 or to settle the amount, without going into the merits of the contention put forward by the learned counsel appearing for the petitioner, is inclined to dispose of the Writ Petition, by directing the respondent to consider the representation of the petitioner dated 21.08.2014 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and thereafter, communicate the decision taken to the petitioner. The Writ Petition is disposed of accordingly. There is no order as to costs.

paa/cla
Index: Yes/No
Internet:Yes/no

21.05.2015

R.MAHADEVAN,J

paa/cla

To

The Managing Director
Tamil Nadu State Transport Corporation (VPM) Limited
3/137, Salamedu-Village
Valuthareddy-Post
Villupuram District.

W.P.No.14928 of 2015

21.05.2015

