

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.6671 of 2016

R.P.Nandagopal

.. Petitioner

-vs-

- 1.The Metropolitan Transport Corporation,
rep. by its Managing Director,
Pallavan House, Anna Salai,
Chennai-600 002.
- 2.The Metropolitan Transport Corporation,
Employees Gratuity Fund Trust,
rep. by its Trustee, Pallavan House,
Anna Salai, Chennai-600 002.
- 3.The Secretary,
Transport Corporation Employees
Co-operative Thrift Savings
and Credit Society, No.X367,
Teynampet, Chennai-600 018.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records relating to the impugned order of the second respondent in Lr.No.25841/PSP7/2015 dated 30.12.2015 and quash the same in so far as the deduction is concerned and direct the respondents to pay the sum of Rs.73,031/- (Rupees Seventy three thousand and thirty one only) that has been deducted from the gratuity payable to the petitioner and also to pay the total excess amount of Rs.55,642.50 that had been deducted from the petitioner's monthly salary after 05.10.2015 till the petitioner's retirement on 31.12.2015 and to pay interest on the said amounts till realization.

For Petitioner : Mr.T.N.Sugesh

For Respondents: Mr.P.Paramasivadoss

O R D E R

The petitioner, R.P.Nandagopal, aggrieved by an order dated 30.12.2015, passed by the second respondent herein, has come to this Court, seeking a direction to the respondents to pay the sum of Rs.73,031/- (Rupees Seventy three thousand and thirty one only) that has been deducted from the gratuity payable to the petitioner and also to pay the total excess amount of Rs.55,642.50 that had been deducted from the petitioner's monthly salary.

2.Learned counsel appearing for the petitioner would submit that no notice or opportunity has been given to the petitioner prior to the deduction of a sum of Rs.73,031/- from the gratuity payable to the petitioner and no reasons have been given as to how the said sum has been arrived at and the same has been deducted from the retirement benefits payable to the petitioner. Nonetheless, he limited his prayer only for a direction to the respondents to consider the representation dated 11.01.2016, on merits.

3.Considering the fact that the petitioner was retired on 31.12.2015 and without going into the merits of the case, there shall be a direction to the respondents to consider the petitioner's representation dated 11.01.2016 and pass 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.

4.With the above direction, the Writ Petition is disposed of. No costs.
vga

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1.The Managing Director,
Metropolitan Transport Corporation,
Pallavan House, Anna Salai,
Chennai-600 002.

2.The Trustee,
Metropolitan Transport Corporation,
Employees Gratuity Fund Trust,
Pallavan House,
Anna Salai, Chennai-600 002.

3.The Secretary,
Transport Corporation Employees
Co-operative Thrift Savings
and Credit Society, No.X367,
Teynampet, Chennai-600 018.

+ 1 cc to M/s.T.N.Sugesh, Advocate SR 11663

vd(co)
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