



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.21642 of 2016

S.Thanaraj

... Petitioner

vs.

The Managing Director,  
State Express Corporation Ltd.,  
Pallavan Salai, Chennai.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondent to pay the gratuity arrears payable to the petitioner as per 6<sup>th</sup> pay commission together with 18% interest per annum by considering the representation of the petitioner dated 17.10.2016.

For Petitioner : Mr.K.Samidurai  
For Respondent : Mr.K.Sathiyasingh

#### ORDER

The petitioner was employed as Assistant Manager in the respondent Corporation and he retired from service on 30.04.2008 on reaching the age of superannuation.

2.He has filed this writ petition seeking for a direction to the respondent to pay the gratuity arrears payable to the petitioner [as per 6<sup>th</sup> pay commission] together with 18% interest per annum, by considering the representation dated 17.10.2016.

3.The learned counsel for the petitioner submitted that as per the 6<sup>th</sup> pay commission, gratuity was revised and therefore, the petitioner is entitled to get arrears of gratuity on the basis of 6<sup>th</sup> pay commission. Claiming so, the petitioner has given a representation dated 17.10.2016 to the respondent. As it is not considered, this writ petition has been filed.

4.The learned counsel for the respondent would submit that the respondent is agreeable to consider the representation of the petitioner dated 17.10.2016.

5.Accordingly, the respondent is directed to consider the representation of the petitioner dated 17.10.2016 and to 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.

6. The Writ petition is disposed of with the above direction.  
No costs.

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/True copy/

Sd/-

Assistant Registrar(As)

Sub Assistant Registrar

+1cc to Mr.K.Sathyasingh, Advocate Sr.No.68153

+1cc to Mr.K.Samidurai, Advocate SR.No.68484

mj

sm:ss 3:05/12/2016:2P/3C

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