



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.24831 of 2016

A.Perumal

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Railway Station Road, Kumbakonam,
Thanajvur District.
- 2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Disvision,
Periyamilaguparai, Trichy-1.
- 3.The General Manager,
Tamil Nadu State Transport Corporations
(Kumbakonam) Limited,
Karaikudi Branch,
Karaikudi, Sivagangai District.
- 4.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to settle the Petitioner's Gratuity, Medical lave, Earned Leave, Dearness Allowance, Provident Fund and other retiral benefits for his un-calculated service of two years to him with 18% rate of interest within the time frame fixed by this Court.

For Petitioner : M/s.Sudhagar Nagaraj

For Respondents : M/s.D.Sivaraman

For Respondent-4 : Mr.A.Muthupandian

**ORDER**

This writ petition has been filed, seeking a direction to the respondents to settle the Petitioner's Gratuity, Medical leave, Earned Leave, Dearness Allowance, Provident Fund and other retirement benefits for his un-calculated service of two years to him with 18% interest within the time frame fixed by this Court.

2. Heard the learned counsel on either side.

3. The case of the petitioner is that the Petitioner joined the service of the first and second respondents w.e.f. 24.6.1982 and lastly worked as Special Grade Tradesman level-5 in the second respondent Branch at F.C. Unit, Dheeran Nagar, Trichy and retired from service w.e.f. 30.6.2013. To his shock and surprise, the respondents Corporation has wrongly calculated the total service of the Petitioner as 29 years instead of 31 years and settled the retirement benefits only for 29 years. In this regard the Petitioner has given a representation dated 10.11.2016 to the respondents and since the said representation did not evoke any response, the petitioner is before this Court with the relief stated supra.

4. The counsel for the respondents would submit that it is agreeable for the second respondent to consider the representation of the petitioner and pass orders thereon.

5. In view of the submission, the second respondent is directed to consider the representation of the petitioner, dated 10.11.2016 and to pass appropriate orders on the same on merits and in accordance with law, within a period of three months from the date on which a copy of this order is made ready, preferably on or before 15.3.2017. No costs.

Sd/-

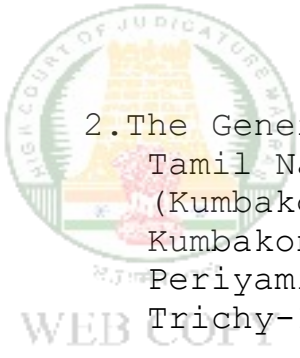
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Railway Station Road, Kumbakonam,
Tamil Nadu District.



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4.The Administrator,
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+1cc to Mr.D.Sivaraman, Advocate Sr.No. 83248

JAM/10.01.2017/KM /3p-6c

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