

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.6596 of 2017

M.S. Natarajan .. Petitioner
vs.

- 1 The State of Tamil Nadu
represented by its Secretary
Transport Department
Fort St. George
Chennai 600 009
- 2 The Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.
represented by its Managing Director
No.19, Trivandrum Road
Vannarpettai Post
Tirunelveli 627 003
- 3 The General Manager
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.
Nagercoil Region
Ranithottam
Nesamani Nagar
Nagercoil 629 001 ..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to pay to the petitioner, the gratuity amount, earned leave salary and medical leave salary amounting to a total sum of Rs.4,33,901/- along with other terminal benefits, if any, with interest, calculated from the date of his retirement, in pursuance of the order of the third respondent vide, O.O. No.3864/A4/TSTC/2013-1 dated 31.05.2013 within a time limit on the basis of the petitioner's representation dated 09.12.2016.

For petitioner	:Mr. N. Rajan
For R1	:Mr.T.M. Pappiah, Spl.Govt. Pleader
For RR 2 & 3	:Mr.P.Paramasivadoss, Standing Counsel

ORDER

Mr. T.M. Pappiah, learned Special Government Pleader, accepts notice for the first respondent. Mr. P. Paramasivados, learned Standing Counsel, accepts notice for respondents 2 and 3. With consent, this writ petition is taken up for final disposal at the admission stage itself.

2 This writ petition has been preferred seeking the following relief:

"a writ of mandamus directing the respondents to pay to the petitioner, gratuity amount, earned leave salary and medical leave salary amounting to a total sum of Rs.4,33,901/- along with other terminal benefits, if any, with interest, calculated from the date of his retirement, in pursuance of the order of the third respondent vide, O.O. No.3864/A4/TSTC/2013-1 dated 31.05.2013 within a time limit on the basis of the petitioner's representation dated 09.12.2016."

3 The petitioner joined the service of the erstwhile Nesamani Transport Corporation as Driver in 1985, his services were confirmed with effect from 24.12.1986 and he retired from service as Special Driver on 31.05.2013 on reaching the age of superannuation. However, except the Provident Fund amount, he was not paid with the aforesaid benefits. Ergo, the petitioner has addressed a representation dated 09.12.2016 to the second respondent, but, to no avail. Hence, he has preferred this writ petition for the relief, as aforestated.

4 Since the petitioner's representation dated 09.12.2016 has been pending consideration, without going into the merits of the case, the second respondent is directed to consider and pass orders on the same, in the light of the order dated 12.06.2015 passed by a Division Bench of the Madurai Bench of Madras High Court in W.A.No.(MD)Nos.383 to 457 of 2015, [K.Rajendran and others Vs. Tamil Nadu State Transport Corporation, represented by its Managing Director, Madurai-10 and 3 others], within a period of twelve weeks from the date of receipt of a copy of this order.

The writ petition stands disposed of with the above direction. Costs made easy.

-Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

- 1 The Secretary
Transport Department
State of Tamil Nadu
Fort St. George
Chennai 600 009
- 2 The Managing Director
The Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.
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(Tirunelveli) Ltd.
Nagercoil Region
Ranithottam
Nesamani Nagar
Nagercoil 629 001

+1 cc to Mr.N.Rajan, Advocate Sr.No.17472

+1 cc to The Government Pleader Sr.No.17023

सत्यमेव जयते

W.P. No.6596 of 2017

LRS (CO)

RRI 27/03/2017

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