

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2614 /2017

V.Nagarajan

... PETITIONER

Vs

The General Manager
Tamil Nadu State Transport Corporation Limited
(Coimbatore), Erode Regional Office,
Chennimalai Road, Erode. ... RESPONDENT

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity and other monetary benefits by calculating D.A. Eligible as per newly implemented Scheme with interest at 12% per annum with effect from 01.05.2014 within stipulated time.

For Petitioner : Mr.I.C.Vasudevan
For Respondent : Mr.P.Kannan Kumar

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.P.Kannan Kumar , learned Standing Counsel accepts notice on behalf of the respondent.

2. The petitioner, would aver among other things that he joined the services of Tamil Nadu State Transport Corporation on 30.10.1985 (Staff No.J03310) and at the time of retirement, i.e. on 30.04.2014, he was working as Special grade Driver in Erode - II Branch. He was drawing a basic pay of Rs.12,100 + Grade Pay Rs.2,300 + DA Rs.12,960 and HRA Rs.660/- & others, thus totally drawing a sum of Rs.28,610/-. The petitioner would further aver that after his retirement, his retirement terminal benefits such as gratuity and other benefits have not been paid and in this regard, he had also filed WP No.38764 of 2010 which was allowed by this Court on 08.11.2016, following the common

judgment dated 12.06.2015 made 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 three others].

3. Mr.I.C.Vasudevan, learned counsel appearing for the petitioner would submit that in the above writ petition, the petitioner failed to mention about the non-settlement of gratuity amount which was inadvertently omitted to be included and therefore he was constrained to file this writ petition.

4. This Court heard the submissions of the learned Standing Counsel appearing for the respondent also.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner in his representation dated 19.09.2016 or in this writ petition, directs the respondent to consider and dispose of the petitioners' representation, on merits and in accordance with law and pass appropriate orders, in the light of the above cited common judgment, within a period of six (6) weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rgr
To

The General Manager
Tamil Nadu State Transport Corporation Limited
(Coimbatore), Erode Regional Office,
Chennimalai Road, Erode.

+1cc to Mr.I.C. Vasudevan, Advocate, S.R.No.8725
+1cc to Mr.P. Kannan Kumar, Advocate, S.R.No.9002

sv(CO)
md(27/02/2017)

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