



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2017

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD).No.11018 of 2017

S.Subbiah

..Petitioner

Vs.

1. The Managing Director,  
State Express Transport Corporation (T.N) Ltd.,  
Thiruvalluvar Illam,  
Pallavan Salai, Chennai-600 002.

.. Respondent

**PRAYER:** Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to compute the gratuity, leave salary payable to the petitioner by taking into account of the Dearness Allowance on his Basic Pay Plus Grade Pay at the rate of 80% instead of 72%, as per G.O.No.403 Finance (Pension) Department dated 10.10.2013 issued by the Government of Tamil Nadu and consequently direct the respondent to pay him the difference in Gratuity, Leave Salary by taking into account of the revised rate of Dearness Allowance i.e. at the rate of 80% of his Basic Pay Plus Grade Pay as fixed in to G.O.No.403 Finance (Pension) Department dated 10.10.2013 together with 18% interest and also to refund a sum Rs.2,500/- towards the refund amount of Institute of Road Transport, within the time that may stipulated by this Court.

For Petitioner : Mr.A.Rahul

For Respondent : Mr.K.Sathiyasingh  
Standing Counsel for TNSTC

### **O R D E R**

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondent to compute gratuity leave salary etc., in terms of G.O.No.403 Finance (Pension) Department, dated 10.10.2013.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent.



3. It is submitted that the petitioner himself has given representations on 13.04.2017 and 15.05.2017. The learned Counsel for the petitioner seeks indulgence of this Court to give a direction to the respondent to consider his representation in terms of G.O.No.403 Finance (Pension) Department dated 10.10.2013.

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4. Having regard to the limited scope of the prayer that is now sought before this Court by the learned Counsel for the petitioner without expressing any opinion on the merits of the matter, this Court is inclined to issue the following direction:-

*"The respondent is directed to consider the representations of the petitioner, dated 13.04.2017 and 15.05.2017, and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."*

5. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To

The Managing Director,  
State Express Transport Corporation (T.N) Ltd.,  
Thiruvalluvar Illam,  
Pallavan Salai, Chennai-600 002.

+1 cc to Mr.A.K.Thangavelu , Advocate in SR.No. 60051  
+1 cc to Mr.K.Sathiya Singh , Advocate in SR.No. 60105

TA

AE/MR KKR/SAR3/04.07.2017/3P/4C

ORDER MADE IN  
W.P. (MD) .Nos.11018 of 2017  
14.06.2017