



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **T.RAJA**

W.P(MD)No.14536 of 2017

C.Sivasubramaniam

... Petitioner

Vs.

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport,
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay the difference in gratuity and leave salary based on VI pay commission recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department dated 17.06.2009 together with interest at the rate of 18% per annum from the date of my retirement to till the date of payment within the time frame that may be fixed by this Court.

For Petitioner	: Mr.A.Rahul
For Respondents	: Mr.D.Sivaraman
	Standing Counsel for TNSTC

O R D E R

The petitioner has come up with this writ petition seeking a direction directing the respondents to pay the difference in gratuity and leave salary based on VI pay commission recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department dated 17.06.2009 together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time frame.

2.Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned Standing Counsel appearing for the respondents.

3.By consent of both sides, this writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>
4.The petitioner was retired as Superintendent in the Transport Corporation, Kumbakonam Ltd. He has not been disbursed



with the eligible terminal benefits like gratuity and leave salary based on VI pay commission with interest. Therefore, he has given a representation on 22.02.2017 to the second respondent. The said representation also has not been considered so far.

5.The learned Standing Counsel appearing for the respondents, on instruction, would submit that the respondents sought four weeks time to dispose of the petitioner's representation dated 22.02.2017.

6.Therefore, without going into the merits of the case, this Court directs the respondents to consider the petitioner's representation dated 22.02.2017 and dispose of the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is seen that the respondents have given payment of differential amount in gratuity and leave salary based on G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009 from 17.06.2009 till 31.01.2010 and the same shall also be considered.

7.The writ petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

+1cc to Mr.A.RAHUL Advocate in SR. No. 70498
+1cc to Mr.D.SIVARAMAN Advocate in SR. No. 70712

NS
JS/SV.MMS/SAR.1/21.09.2017/2P-3C

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