



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDARW.P.(MD).Nos.4431 of 2017

P.Dhanavel, S/o.Pichaipillai,
Checking Inspector(Retired), Staff No.9277,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region. ..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.,
Trichy Region, Trichy. .. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the petitioner difference in Gratuity of Rs.50,123/- and difference in Earned Leave Salary of Rs.19,458/- 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 that may be stipulated by this Court.

For Petitioner

: Mr.A.Rahul

For R-1 & R-2

: Mr.D.Sivaraman,

Standing Counsel for T.N.S.T.C.,

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay the petitioner difference in Gratuity of Rs.50,123/- and difference in Earned Leave Salary of Rs.19,458/- together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the stipulated time.

2. Heard the learned counsel appearing for the petitioner and
[https://hcses.hcses.org/hcses/Services/standing-counsel-appearing-for-the-respondents.](https://hcses.hcses.org/hcses/Services/standing-counsel-appearing-for-the-respondents)



3. Mr.D.Sivaraman, learned Standing Counsel for TNSTC, takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction to pay the petitioner difference in Gratuity and difference in Earned Leave salary together with interest, the learned counsel for the petitioner submit that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner, dated 11.11.2016 within a time stipulated by this Court.

5. Having regard to the limited scope of the prayer now sought for in the Writ petition, without expressing any opinion on the merits of the matter, this Court is inclined to issue the following direction:-

"The respondents are directed to consider the representation of the petitioner, dated 11.11.2016, and pass appropriate orders on merits and in accordance with law taking note of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015, within a period of eight weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To

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.,
Trichy Region, Trichy.

+One cc to Mr.A.Rahul, Advocate, SR.No.15239

+One cc to Mr.D.Sivaraman, Advocate, SR.No.15157

pmu

RL/5C/2P/MR/SAR4/4.4.2017

ORDER MADE IN

W.P. (MD) .Nos.4431 of 2017