



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

W.P. (MD) .No.6544 of 2017

R.Hariharan

... 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 filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to pay the difference in gratuity and leave salary based on VIth 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.

|                 |                  |
|-----------------|------------------|
| For Petitioner  | : Mr.A.Rahul     |
| For Respondents | : Mr.D.Sivaraman |

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### 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 difference in gratuity and leave salary based on VIth 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.

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

3.Though the Writ petition is for issuing a positive direction, 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 08.02.2017.

4. Considering the limited scope of the request of the learned counsel for the Writ petitioner, 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 08.02.2017, 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."*

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

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,  
TamilNadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Kumbakonam.

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

+1 CC to Mr.A.Rahul, Advocate, SR No. 51638

+1 CC to Mr.D.Sivaraman, Advocate, SR No. 51700

KM/MR

PSM/KP/02.05.2017/2P/5C

ORDER MADE IN  
**W.P. (MD) .Nos. 6544 of 2017**  
**12.04.2017**