



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.1470 of 2018

WEB COPY

A.Ambujam

...Petitioner

Vs.

State Express Transport Corporation Limited,
Represented by its Managing Director,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

...Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the respondent in Ref.030492/C3/A.V.Po.Ka.Tha.Na/2017 dated 19th October 2017, quash the same as illegal in so far as taking the salary of the petitioner for the month of December 2007 instead of May 2016 and also taken 28 years as qualifying service instead of 29 years for computing Gratuity amount and in consequence direct the respondent to pay the terminal benefits amount payable to him including Difference in Gratuity and unavailed Medical Leave Salary by taking the last month salary of May 2016 in the light of 12(3) settlement dated 13.02.1999 and also the G.O.(Nilai).No.220, Transport (C1) Department dated 06.08.1999 together with 18% interest from the date of his retirement i.e. 31.05.2016, to till the date of actual payment made to him and all other attendant benefits within the time frame that may be fixed by this Court.

For Petitioner : Mr.A.Rahul
For Respondent : Mr.K.Sathiya Singh

ORDER

Heard the learned counsel on either side.

2.By consent of both parties, the main Writ Petition itself is taken up for final disposal.

3.The petitioner retired from the Office of the respondent / Corporation on 31.05.2016. But, subsequent to the said retirement, there was a wage settlement entered into between the management and the employees. The wage revision was also retrospectively applied. Therefore, the petitioner will be entitled to differential amount.



4.The respondent /management is directed to disburse the said differential amount with interest at the rate of 6% per annum. Such disbursement shall be made within a period of twelve weeks from the date of receipt of a copy of this order.

5.The Writ Petition stands allowed accordingly. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To
The Managing Director,
State Express Transport Corporation Limited,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

+1cc to Mr.K.Sathiya Singh, Advocate Sr.No.48129

+1cc to Mr.A.K.Thangavelu, Advocate Sr.No.48493

TSG

VB/JC/SAR4/07/05/2018/2P/4C

ORDER MADE IN
W.P. (MD) .No.1470 of 2018
13.02.2018