

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.09.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.27835 of 2019

M.Janarthanan

... Petitioner

Vs.

1.The Managing Director
Tamil Nadu State Transport Corporation (Villupuram) Limited
Vazhuthareddy Post
Salamedu
Villupuram 605 602

2.The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Limited
Tiruvannamalai Region
Tiruvannamalai

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to pay the differential of Gratuity Rs.79,605/- along with interest at the rate of 18% within the stipulated time as may be fixed by this court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.A.Antony Arockiaraja

O R D E R

By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this petition, praying to issue a Writ of Mandamus, to direct the respondents to pay the differential of Gratuity Rs.79,605/- along with interest at the rate of 18% within the stipulated time as may be fixed by this court.

3.The case of the petitioner is that he joined service in the erstwhile Pattukottai Azhagiri Transport Corporation, Vellore Region as "conductor" on 16.04.1981 and he retired from

service on 30.10.2010. At the time of retirement, the petitioner is entitled to receive the D.A. @ 45% as per the 11th Settlement but the Gratuity for the petitioner has not been calculated as per details of the final settlement given by the respondent. The petitioner's Gratuity and pension was calculated by taking the petitioner's service and Dearness Allowances. Thus, the petitioner entitled to receive the difference of Gratuity Rs.79,605/-. In this regard, the petitioner sought an information through RTI on 27.05.2019. The petitioner also made several representations to the respondents, but so far, the respondents have not taken any steps to settle the differential Gratuity amount along with interest. The petitioner should be paid the retirement benefits immediately after his retirement. Hence, the petitioner is before this court.

4.Considering the facts and circumstances of the case, and also on a perusal of the impugned order dated 28.06.2019, wherein, the Public Information Officer informed that the differential of Gratuity will be paid as per the list, but, till now the same has not been settled to the petitioner.

5.Thus, considering the merits of the case, this Court is inclined to direct the respondents to settle the differential of Gratuity amount of Rs.79,605/- within a period of six weeks from the date of receipt of copy of this order.

6.With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

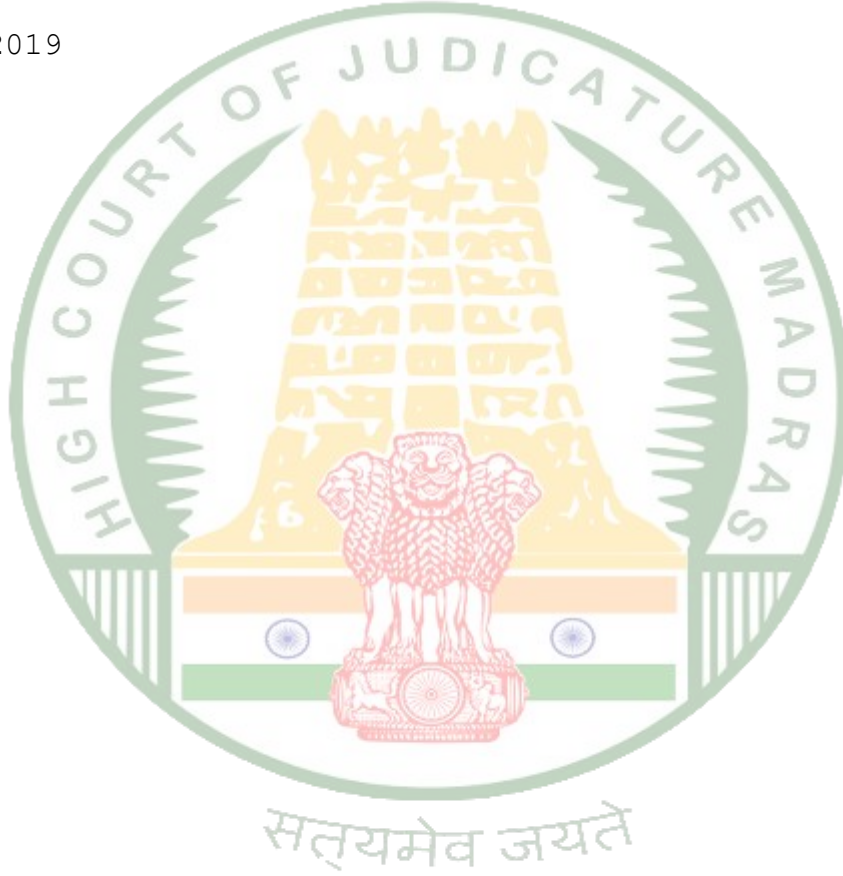
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Tiruvannamalai Region
Tiruvannamalai

+1cc to Mr.A.Antony Arockiaraja, Advocate sr.81468
+1cc to Mr.J.Pradeep, Advocate sr.80784

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pvs(co)
nr 12/11/2019



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