

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.26791 of 2019

K.Arumugam

... Petitioner

Vs.

1.The Managing Director
Tamil Nadu State Transport
Corporation (VPM) Ltd.
Vauztha Reddy Post
Villupuram-605 401.

2.The General Manager
Tamil Nadu State Transport
Corporation (VPM) Ltd.
Villupuram Region
Villupuram - 605 401.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to pay the interest at the rate of 18% per annum for the belated payment of the gratuity of Rs.4,58,192/- for the period from 31.07.2011 to 30.12.2013 and for the leave salary of Rs.3,54,788/- for the period from 31.07.2011 to 04.04.2012, along with the future interest payable from the date of payment made till the date of realization.

For Petitioner : Mr.P.Paramasiva Doss

For Respondents : Mr.A.Antony Arockiaraja

Standing Counsel for TNSTC

O R D E R

Mr.A.Antony Arockiaraja, learned Standing Counsel takes notice on behalf of the respondents -Tamilnadu State Transport Corporation.

2.The petitioner is a retired employee of the 1st respondent management. The petitioner has joined in the respondent management as trainee on 14.05.1983 and retired from service on 31.07.2011 after attaining the age of superannuation. The grievance of the petitioner is that his retirement benefits viz.,Gratuity, Leave Encashment, Leave Surrender, ERBS Pension

and all other retirement benefits were not settled forthwith to the petitioner. However, the gratuity was paid with much delay on 30.12.2013 i.e., after a period of 29 months. According to the petitioner, he is entitled to receive the above mentioned benefits, in particular the gratuity with interest as per provision of the payment of Gratuity Act. In this regard, the petitioner has made several representations to the respondents in person and also through post. Since, the representations were not considered by the respondents, the petitioner has filed the present petition.

3.The learned counsel for the petitioner would submit that, it would suffice if a direction is issued to the respondents, to consider the representations of the petitioner and pass orders within a stipulated time.

4.In view of the limited prayer sought for by the petitioner, this Court is inclined to direct the respondents to consider the petitioner's representation and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. For ready reference, the petitioner is directed to enclose a copy of the representation along with this order copy to enable the respondents to pass orders.

5.With the above direction, this writ petition stands disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

rm

To

1.The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd.
Vauztha Reddy Post
Villupuram-605 401.

2.The General Manager
Tamil Nadu State Transport Corporation (VPM) Ltd.
Villupuram Region
Villupuram - 605 401.

+1 CC to Mr.A.Antony Arockiaraja, Advocate sr 77459

+1 CC to Mr.P.Paramasivadoss, Advocate sr 77838

W.P.No.26791 of 2019

SP(06/11/2019)