

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.01.2019

CORAM:

THE HONOURABLE DR..JUSTICE S.VIMALA

WP.No.34851 of 2018

D.Tamilmani

Petitioner

Vs

M/s.State Express Transport Corporation Ltd.,
Rep. By its Managing Director,
No.2, Pallavan Salai Chennai-600 002.

Respondent

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondent to settle the terminal benefits of the petitioner, Gratuity Amount of Rs.7,48,300/-, Commutation Amount of Rs.6,29,834/-, surrender of Earned Leave of 153.5 days and Medical Leave of 27.5 days of amount of Rs.3,05,904/- and Social Security Scheme of Rs.35,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/- and altogether a sum of Rs.17,23,538/- with interest at the rate of 6% per annum, taking into consideration of the representation of the petitioner dated 18.12.2018.

For Petitioner : Mr.D. Soundar Raj

For Respondent : Mrs.Rajeni Ramadoss, Standing Counsel

ORDER

By consent of the learned counsel on either side, this Writ Petition is taken up for final disposal, at the admission stage itself. Mrs.Rajeni Ramadoss, learned standing counsel takes notice for the Respondent.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The prayer in this Writ Petition is to direct the respondent to settle the terminal benefits of the petitioner, Gratuity Amount of Rs.7,48,300/-, Commutation Amount of Rs.6,29,834/-, surrender of Earned Leave of 153.5 days and Medical Leave of 27.5 days of amount of Rs.3,05,904/- and Social Security Scheme of Rs.35,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/- and

altogether a sum of Rs.17,23,538/- with interest at the rate of 6% per annum, taking into consideration of the representation of the petitioner dated 18.12.2018.

4. The case of the Petitioner is that the Petitioner was appointed as a Conductor on 7.4.1989 and he had retired from service on 30.04.2018, on attaining the age of superannuation. After retirement, only the Provident Fund amount of Rs.5,08,434/- was settled and the amount towards gratuity, commutation, leave salary and Erode Engineering College and Perundurai Medical College deposits were not settled. Hence, he had sent a representation dated 18.12.2018 to the Respondent, seeking terminal benefits. Since the said representation is not considered so far, this Writ Petition has been filed, seeking the relief as stated above.

5. Though the prayer sought for in this Writ Petition is for a larger relief, having regard to the facts and circumstances of the case, it is suffice to direct the Respondent to dispose of the said representation of the Petitioner, on merits and in accordance with law, within a time frame. Accordingly, without going into the merits of the case, the Respondent is directed to consider the representation of the Petitioner, dated 18.12.2018, and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srcm

To

The Managing Director,
M/s.State Express Transport Corporation Ltd.,
No.2, Pallavan Salai Chennai-600 002.

+1 cc to M/s.Rajeni Ramadoss, Advocate, S.R.No.1855

+1 cc to Mr.D.Soundarraaj, Advocate, S.R.No.1288

WP.No.34851 of 2018

SAI (CO)
SSM(12/02/2019)