



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.14723 of 2019

N.K.Raju

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye-Pass Road,
Madurai - 625 016.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to pay interest at the rate of 6% per annum to the petitioner for the belated payment of Gratuity from the date of retirement to the date of actual payment.

For Petitioner : Mr.C.Thangamani

For Respondent : Mr.J.Senthil Kumaraiah

ORDER

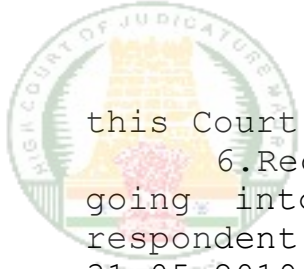
This Writ Petition has been filed seeking a direction to the respondent to pay interest at the rate of 6% per annum to the petitioner for the belated payment of Gratuity from the date of retirement to the date of actual payment.

2.Mr.J.Senthil Kumariah, learned Standing Counsel takes notice for the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, he joined the services of the respondent Transport Corporation as a Security Guard on 09.07.1990 and retired from service on 31.07.2012 as a Selection Grade Security Guard, but the respondent has paid Gratuity only on 11.05.2015 with a delay of 34 months. Hence, the petitioner has made repeated representations for payment of interest for belated payment of his retirement benefits, but, so far, no action has been taken on the petitioners' representations. Hence, the present Writ Petition.

4.The learned counsel for the appearing petitioner submitted that if a direction is issued to the respondent to consider the representation of the petitioner, dated 31.05.2019, in the light of the earlier order passed by this Court, dated 16.04.2018, in W.P.(MD)No.8243 of 2018, it would suffice.

5.The learned Standing Counsel appearing for the respondent submitted that the respondent would consider the petitioner's representation and pass orders within a time frame to be fixed by



this Court.

6. Recording the submission made by both parties, without going into the merits of the case, this Court directs the respondent to consider the petitioner's representation dated 31.05.2019 and pass appropriate orders on merits and in accordance with law by taking note of the earlier order passed by this Court, dated 16.04.2018, in W.P.(MD)No.8243 of 2018, within a period of twelve weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited, Bye-Pass Road,
Madurai - 625 016.

+1cc to M/S. J.SENTHIL KUMARAIAH, Advocate, Sr.No.72953

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02.07.2019

BUC(11.07.2019) 2P 3C