



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.12976 of 2018

K.Valli

... Petitioner

Vs.

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

... Respondent

Prayer: 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 Rs.1,18,925/- towards the payment of 10% interest for the belated payment of terminal benefits amount of Gratuity under payment of Gratuity Act, 1972 based on the award passed by the Assistant Commissioner of Labour, Madurai in P.G.No.108 of 2007, dated 26.11.2008 payable to the petitioner's husband and all other attendant benefits to her within the stipulated period.

For Petitioner : Mr.A.Rahul

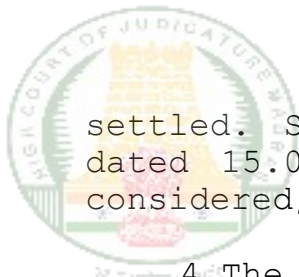
For Respondent : Mr.A.Jeyaraman

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondent to pay Rs.1,18,925/- towards the payment of 10% interest for the belated payment of terminal benefits amount of Gratuity under payment of Gratuity Act, 1972, based on the award passed by the Assistant Commissioner of Labour, Madurai in P.G.No.108 of 2007, dated 26.11.2008, payable to the petitioner's husband and all other attendant benefits to her within the stipulated period.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3.According to the petitioner, her husband worked in the respondent Corporation as Driver and dismissed from service on 23.11.2001. As per the award passed by the Assistant Commissioner of Labour, Madurai in P.G.No.108 of 2007, dated 26.11.2008, part of the amount has already been paid and interest portion alone has not been



settled. Seeking the same, the petitioner sent a representation, dated 15.05.2018 to the respondent. Since the same has not been considered, the petitioner has filed the present Writ Petition.

4. The learned counsel appearing for the respondent submitted that the representation of the petitioner would be considered on merits.

5. In view of the above, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner, dated 15.05.2018 in the light of the award passed in P.G.No.108 of 2007, dated 26.11.2008 by the Assistant Commissioner of Labour, Madurai, in respect of interest portion alone and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Crl. Side)

/TRUE COPY/

Sub Assistant Registrar (CS)

To

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

+1 CC to M/s.A.K.THANGAVELU, Advocate (SR-51389[F] dated 04/03/2019

W.P (MD) No.12976 of 2018
28.02.2019

CS: 17/05/2019/2P/3C