



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.7604 of 2017

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V.Jagadeesan

... Petitioner

vs.

The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd,
Trichy Region,
Rep. by its, General Manager,
Trichy.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, to direct the respondent to pay the petitioner Rs.50,419/- towards balance of gratuity, together with interest at the rate as per Section 7(3A) of the Payment of Gratuity Act, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.D.Sivaraman
Standing Counsel

O R D E R

The petitioner herein, who was employed as a Junior Assistant of the respondent Corporation, retired from his service on 31.12.2009. Though he was entitled for a payment of the gratuity amount to the tune of Rs.3,50,000/-, a part of amount to the tune of Rs.2,99,581/- alone was paid. The present writ petition has been filed for the balance of the gratuity together with interest.

2.The settlement account sheet maintained by the respondent Corporation is produced before this Court, which evidences that the petitioner is entitled for payment of the gratuity amount of Rs.3,50,000/-. It is not in dispute that the petitioner herein had received only a sum of Rs.2,99,581/- out of the total gratuity amount of Rs.3,50,000/-, as such, the petitioner would be entitled to receive the balance of the gratuity amount of Rs.50,419/-. When the total gratuity amount itself is not in dispute, the plea raised by the petitioner herein seeking for issuance of a Writ of Mandamus, deserves to be considered favorably.

3.In the light of the above observations, there shall be a direction to the respondent to pay a sum of Rs.50,419/-, towards the balance of the petitioner's gratuity amount together with interest



at the rate of 6% per annum, within a period of eight weeks from the date of receipt of a copy of this order.

4.The Writ Petition stands disposed of accordingly. No costs.

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Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

sjj

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-103616[F] dated 05/12/2019)

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