



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.03.2020**

CORAM

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P (MD) No.5243 of 2020

WEB COPY

Muthusrinivasan

.. Petitioner

Vs

1.The State of Tamil Nadu

Represented by Secretary to Government
Tamil Nadu State Transport Corporation
Fort St.George
Chennai

2.The Managing Director

Tamil Nadu State Transport Corporation
No.27, Railway Station
Kumbakonam 612 001
Thanjavur District

3.The General Manager

Tamil Nadu State Transport Corporation
Pudukkottai Region
Pillaithanneerpandal
Pudukkottai

4.The Administrator

Tamil Nadu State Transport Corporation
Corporation Employees Pension
Pallavan Salai
Chennai 600 002

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to refix the petitioner's gratuity with interest for the period of 1984 to 1986 and other monetary retirement benefits with interest to the petitioner, based on the petitioner's representation, dated 14.02.2020.

For Petitioner

: Mr.A.P.Dhas

For R1

: Mr.M.Karuppasamy Pandian
Government Advocate

For R2 & R3

: Mr.P.Balasubramanian
Standing Counsel

ORDER

This writ petition has been filed for a direction to the respondents to refix the petitioner's gratuity with interest for the period of 1984 to 1986 and other monetary retirement benefits with



interest to the petitioner, based on the petitioner's representation, dated 14.02.2020.

2. By consent of parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the petitioner was appointed in the respondents Corporation as Conductor on 12.12.1984 and he was selected as selection grade conductor and on 09.12.2009 he has been designated as special grade conductor. During the course of service, the petitioner was working as Conductor Level IV and he was promoted as Checking Inspector. The grievance of the petitioner is that the petitioner initially appointed on 12.12.1984 as conductor but, the respondents had calculated his service to gratuity from 01.09.1986 and they have not given his earn leave salary from the years 2011 to 2016. The above said period has not been calculated at the time of sanctioning of petitioner's retirement ie on 30.06.2017. Therefore, the petitioner has sent a detailed representation, dated 14.02.2020 claiming that the amounts which are due to him on difference heads. But, so far, the respondents have not taken any action. Hence, the petitioner is before this Court.

5. The learned counsel for the petitioner further submitted that for three claims, the petitioner has given three different representations.

6. Heard the learned counsel for the petitioner; learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3.

7. The petitioner is directed to give a single representation to the respondents covering with all the issues within a period of two weeks from the date of receipt of a copy of this order. Considering the limited scope of prayer sought for in the Writ petition and without adverting to the merits of the case, the respondents are directed to consider the representation of the petitioner and pass orders on merits and in accordance with law within a period of twelve weeks from the date of representation of the petitioner.

8. With the above direction, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

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/ /2020

Sub Assistant Registrar(CS)



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Tamil Nadu State Transport Corporation
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+1 CC to Mr.A.P.DHAS, Advocate (SR-11318[F] dated 12/03/2020)

+1 CC to Mr.P.BALASUBRAMANIAN, Advocate (SR-11388[F] dated 12/03/2020)

+1 CC to SPL.GP (SR-11596[F] dated 13/03/2020)

ORDER MADE IN
W.P (MD) No. 5243 of 2020
12.03.2020

VB(24.03.2020) 3P 8C