



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.5924 of 2020

Radhakrishnan

....Petitioner

vs.

1.The State of Tamilnadu

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

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

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to provide the petitioner's gratuity with interest from the period of 01.02.1989 to 01.12.1989 based on the petitioner's representation, dated 06.03.2020.

For Petitioner

: Mr.A.P.Dhas

For R1

: Mr.K.Mu.Muthu

Additional Government Pleader

For R2 & R3

: Mr.P.Balasubramanian

O R D E R

The writ petition has been filed for a direction to the respondents to provide the petitioner's gratuity with interest from the period of 01.02.1989 to 01.12.1989 based on the petitioner's representation, dated 06.03.2020.



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 as Conductor on 31.01.1989 and he was confirmed as permanent Conductor by an order dated 02.01.1990. The learned counsel for the petitioner would submit that the petitioner was selected as Senior Grade Conductor and on 29.11.2005, he was promoted as Checking Inspector based on the degree qualification. While being so, on 17.05.2008, he was promoted as Traffic Inspector and he retired from service on 31.12.2018 on attaining the age of superannuation. The grievance of the petitioner is that the respondents sanctioned the terminal benefits belatedly and had withheld the balance 95 days of leave salary amount from 2011 and also the grade pay has not been refixed from 2010 to 2015. Therefore, the petitioner made a representation, dated 06.03.2020 to the respondents. Since no action has been taken by the respondents, the petitioner is before this Court.

4.Heard the learned counsel for the petitioner; learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3.

5.Considering the limited scope of prayer sought for in the writ petition and without advertting to the merits of the case, the respondents are directed to consider the representation of the petitioner, dated 06.03.2020 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner shall enclose the copy of the representation, dated 06.03.2020 along with copy of this order to the respondents.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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To:-

1.The Secretary to Government
The State of Tamilnadu
Tamil Nadu State Transport Corporation
Fort.St.George, Chennai

2.The Managing Director
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+1 CC to M/s.A.P.SHAS, Advocate (SR-12792[F] dated 23/03/2020)

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-12887[F] dated 23/03/2020)

+1 CC to M/s.SPL.GP (SR-12854[F] dated 23/03/2020)

W.P.(MD) No.5924 of 2020
23.03.2020

KB(26/05/2020) 3P 7C