



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2021

CORAM:

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

W.P.(MD)No.15766 of 2021

V.Nagappan

... Petitioner

vs.

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

2.The Financial Advisor and Chief Accounts Officer,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Bye-Pass Road, Madurai - 625 016.

3.The Administrator,
TNSTC Employees Pensions Fund Trust,
SETC (TN) Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

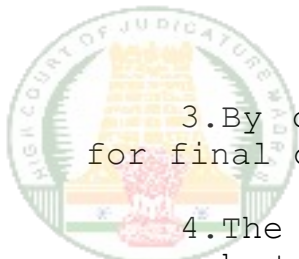
PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse petitioner's retirement benefits of the difference arrears amount of gratuity for Rs.27,631/- and leave salary for Rs.41,695/- in variable Dearness Allowance and in total amount is as Rs.69,326/- together with interest at the rate of 6% per annum payable as per Court direction, in one installment to the petitioner within a stipulated time frame as fixed by this Court from the date of retirement to till the date of actual payment.

For Petitioner	: Mr.K.Thirugnanasambandan
For Respondents	: Mr.J.Senthil Kumaraiah, Standing counsel

O R D E R

This petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents to disburse petitioner's retirement benefits viz., the difference arrears amount of Gratuity for Rs.27,631/- and Leave Salary for Rs.41,695/- invariable Dearness Allowance and a total amount of Rs.69,326/- together with interest at the rate of 6% per annum payable to the petitioner within a stipulated time frame as fixed by this Court from the date of retirement to till the date of actual payment.

2.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.



3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.The petitioner was working as Senior Superintendent in the respondent Transport Corporation and retired from service on 30.04.2014 after attaining the age of superannuation. The petitioner has submitted a representation dated 23.08.2021 to the first respondent to disburse his retirement benefits viz., the difference arrears amount of Gratuity for a sum of Rs.27,631/-, Leave Salary for a sum of Rs.41,695/-, invariable Dearness Allowance and a total amount of Rs.69,326/- together with interest @ 6% per annum payable to him. However, the said representation is still pending and no orders were passed till date. Therefore, the present Writ petition has been filed before this Court.

5.The learned Standing counsel appearing for the respondents would submit that the petitioner's representation would be duly considered and appropriate orders will be passed in accordance with law.

6.Considering the submissions made by the learned counsel on either side and also considering the limited prayer as sought by the petitioner, this Court, without expressing any opinion on merits, directs the first respondent to consider the petitioner's representation dated 23.08.2021 on merits and in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

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

2.The Financial Advisor and Chief Accounts Officer,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Bye-Pass Road, Madurai - 625 016.



3.The Administrator,
TNSTC Employees Pensions Fund Trust,
SETC (TN) Ltd.,
No.2, Pallavan salai,
Chennai - 600 002.

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Order made in
W.P. (MD) No.15766 of 2021
03.09.2021

RS (21.09.2021) 3P 4C