



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2022

CORAM:

WEB COPY

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 3302 of 2022

M.Shanthi

..Petitioner

Vs.

1.Tamil Nadu State Transport Corporation (Salem)Ltd.,
rep by its Managing Director,
No. 12, Ramakrishna Road,
Salem-636007.

2.Tamil Nadu State Transport Corporations Employees' Pension Fund Trust,
Rep by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600002.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing to the respondent to pay the petitioner interest for the belated payment of the petitioner husbands terminal benefits namely Gratuity PF. and commuted value of Pension to pay her a sum of Rs.62 569/- towards difference in Gratuity a sum of Rs.3 65 284/- towards earned leave salary which her husband surrendered at the time of retirement with interest and to pay wages towards 30 days of earned leave surrendered by her husband together with interest at the rate of 12 percentage for all the above benefits within a specified time as fixed by this Court.

For Petitioner : M/s.V. Porkodi

For Respondents : Mr.A.Sundaravadhanan,
Standing Counsel -R1
Mr.C.S.K.Sathish - R2

O R D E R

The learned counsel for the petitioner has submitted that the petitioner's husband joined the service of the 1st respondent Corporation as a Conductor on 12.08.1985 and retired from service on attaining the age of superannuation on 28.02.2019 as



Checking Inspector. Subsequently, the petitioner's husband died on 15.09.2019.

2. The learned counsel for the petitioner has submitted that the respondent-Corporation had settled the terminal benefits such as Provident Fund, Gratuity and Commuted value of pension and yet to pay the difference amount in gratuity, a sum of Rs.3,65,284/- and a sum of RS.62,569/- towards the interest for the belated payment of terminal benefits and encashment of Earned leave. The petitioner has made representation to the 1st respondent and the same is pending. Hence, seeking directions to the respondents, the present writ petition is filed.

3. The learned standing counsel appearing for the 1st respondent submitted that the representation submitted by the petitioner will be considered on merits and appropriate orders will be passed within a time frame as stipulated by this Court.

4. Heard both sides and perused the documents available on record.

5. Considering the facts and circumstances of the case and in view of limited prayer sought for by the learned counsel for the petitioner in the writ petition, this Court without expressing any opinion and without going into merits of the case, is inclined to direct the 1st respondent to consider the petitioner's representation dated 23.09.2021 and pass reasoned orders, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition stands disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Salem)Ltd.,
No. 12, Ramakrishna Road,
Salem-636007.



2. The Administrator,
Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600002.

+1 CC to M/s.A.Sundaravadhanan, Advocate sr 11499
+1 CC to Mr.V. Ajoy Khose, advocate sr 11487.

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PMK (CO)
SP (29/04/2022)