



W.P.No.4647, 4649, 4650, 1023, 1028, 1032, 1033 & 1036 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 5.7.2022

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

**W.P.No.4647, 4649, 4650, 1023,
1028, 1032, 1033 & 1036 of 2020**

W.P.No.4647 of 2020

1 J.Sekar ... Petitioner

Vs.

- 1 Metropolitan Transport Corporation
(Chennai) Ltd Rep by its Managing Director,
Pallavan Illam, Pallavan Salai, Chennai 2
- 2 The Administrator,
Tamil Nadu Transport Corporations Employees
Pension Fund Trust, Thiruvalluvar Illam
Pallavan Salai, Chennai 2 ... Respondents

Prayer in W.P.No.4647 of 2020

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to pay petitioner a sum of Rs.17,29,096.00 towards Earn Leave Salary Leave Encashment difference in Gratuity and difference of Commutation with Interest entitled based on Revised Pay as per 7th Pay Commission Recommendation as shown in paragraph 17 of the affidavit.

Prayer in W.P.No.4649 of 2020

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondent to pay petitioner a sum of Rs.5,62,148.00 towards difference of Leave Encashment and difference in Gratuity with interest based on Revised Pay as per 7th Pay Commission Recommendation as shown in paragraph 16 of the affidavit.



W.P.No.4647, 4649, 4650, 1023, 1028, 1032, 1033 & 1036 of 2020

Prayer in W.P.No.4650 of 2020

WEB COPY

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondent to pay petitioner a sum of Rs.5,09,765.00 towards Leave Encashment difference in Gratuity with interest based on Revised Pay as per 7th Pay Commission Recommendation as shown in paragraph 16 of the Affidavit.

Prayer in W.P.No.1023 of 2020

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the Respondent to pay a sum of Rs.10,57,010.00 to the petitioner towards surrendered Earn Leave Salary difference in Leave Salary and difference in Gratuity with Interest as shown in paragraph 17 of the affidavit filed in support of the Writ Petition.

Prayer in W.P.No.1028 of 2020

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the Respondent to pay a sum of Rs.10,71,713.00 to the petitioner towards Earned Leave Surrender Leave Salary and difference in Gratuity with interest as shown in paragraph 17 of the affidavit filed in support of the Writ Petition.

Prayer in W.P.No.1032 of 2020

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the Respondent to pay a sum of Rs.4,26,766.00 to the petitioner towards Earned Leave Surrender Leave Salary and difference in Gratuity with Interest as shown in paragraph 17 of the affidavit filed in support of the Writ Petition.

Prayer in W.P.No.1033 of 2020

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the Respondent to pay a sum of Rs.10,80,293.00 to the petitioner towards Surrendered Earn Leave Salary difference in Leave Salary and difference in Gratuity with interest as shown in paragraph 17 of the Affidavit filed in support of the Writ Petition.



W.P.No.4647, 4649, 4650, 1023, 1028, 1032, 1033 & 1036 of 2020

Prayer in W.P.No.1036 of 2020

WEB COPY

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondent to pay a sum of Rs.4,02,515.00 to the petitioner towards surrendered Earn Leave Salary difference in Leave Salary and difference in Gratuity with Interest as shown in paragraph 17 of the affidavit filed in support of the Writ Petition.

For Petitioners in all W.Ps. : Mr.S.T.Varadarajalu
For Respondent No.1
in all W.Ps. : Mr.R.Balaji for Transport Corpn.
For Respondent No.2
in all W.Ps. : Mr.C.S.K.Sathish

COMMON ORDER

The prayer as sought for in all the writ petitions as well as the respondents in all the writ petitions are one and the same and hence, all the writ petitions are being disposed of by a common order.

2. According to the petitioners, the petitioners made representation to the first respondent requesting him to pass necessary orders for payment of surrender of earned leave, Leave salary arrears, difference of Gratuity arrears and difference of Commutation arrears as per 7th Pay Commission and as per G.O.Ms.No.313 dated 2.10.2017 and the said representation is still pending and no order has been passed. Hence, the petitioners have filed the instant writ petitions before this Court for the aforesaid prayer.



W.P.No.4647, 4649, 4650, 1023, 1028, 1032, 1033 & 1036 of 2020

3. Considering the limited scope of prayer sought for by the petitioners, this Court is inclined to direct the first respondent to consider the representation of the petitioners in all the writ petitions, dated 19.12.2019, 22.01.2020, 22.01.2020, 18.12.2019, 18.12.2019, 18.12.2019, 18.12.2019 and 18.12.2019 respectively and pass appropriate orders on merit and in accordance with law, as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of copy of this order. If there is any delay on the part of the respondent Corporation in the settlement of payment as claimed by the petitioners in the said representation, the petitioners are entitled for 4% interest as awarded by the Hon'ble Division Bench of this Court in *W.A.(MD) No.383 to 457 of 2015, dated 12.06.2015*.

4. Accordingly, the writ petition stands disposed of with the above directions. No Costs.

5.7.2022

Speaking / Non-Speaking order

Index:Yes/No

vaan

To

- 1 The Managing Director, Metropolitan Transport Corporation (Chennai) Ltd., Pallavan Illam, Pallavan Salai, Chennai 2.
- 2 The Administrator,
Tamil Nadu Transport Corporations Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai, Chennai 2



WEB COPY



W.P.No.4647, 4649, 4650, 1023, 1028, 1032, 1033 & 1036 of 2020

D.KRISHNAKUMAR,J.

vaan

**W.P.No.4647, 4649, 4650, 1023,
1028, 1032, 1033 & 1036 of 2020**

Dated: 5.7.2022