



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.8266 of 2022

K.Soundararaj

... Petitioner

Vs.

1. Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Rep. by its Managing Director,
No.7, Mettupalayam Road, Coimbatore - 43.

2. Tamil Nadu State Transport Corporations Employees' Pension Fund Trust, Rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to pay the petitioner a sum of Rs.52,764/- towards difference in Gratuity, a sum of Rs.14,299/- towards difference in earned leave salary, to pay him interest for P.F, Gratuity, earned leave salary and commuted value of pension, to pay the petitioner a earned leave salary for the earned leave which he has surrendered in the year 2009 and 2010, together with interest at the rate of 18%, within a specified time fixed by this Court.

For Petitioner : Mrs.V.Porkodi

For R1 : Mr.A.Sundaravadanan
Standing Counsel

For R2 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

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

2. The writ petition has been filed seeking to issue a Writ



of Mandamus, directing the respondents to pay the difference amount in Gratuity, Earned Leave salary and to pay other pensionary benefits with interest.

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3. The case of the petitioner in brief:

The petitioner was working as Selection Grade Driver in the respondent corporation and he had retired from service on 31.06.2016. As per Settlement dated 04.01.2018, the petitioner is entitled to get revised pensionary benefits from the date of his retirement, but the respondents granted pension only with effect from October 2019 and they had not paid other terminal benefits also. Therefore, the petitioner gave representation dated 21.09.2019 seeking to pay the difference amounts in Gratuity, Earned Leave Salary, interest for Provident Fund, Gratuity, Earned leave Salary and other benefits. But, the respondents, did not consider the same. Hence this writ petition.

4. The learned Standing Counsel appearing for the respondents submitted that the petitioner's representation would be considered by the authorities concerned and appropriate orders would be passed on its own merits and in accordance with law.

5. In view of the above submission and also considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass the following order.

i) The respondents are directed to consider the petitioner's representation dated 21.09.2019, on its own merits and in accordance with law, as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ata/mst

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
No.7, Mettupalayam Road,
Coimbatore - 43.



2. The Administrator,
Tamil Nadu State Transport Corporations Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.V.Ajoy khose, Advocate, S.R.No.23199
+1cc to Mr.A.Sundaravadanan, Advocate, S.R.No.23210

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SVI (CO)
CT 22/04/2022