



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 12290 of 2022

M.Umapathy

.. Petitioner

Vs.

1 The Additional Chief Secretary,
Transport Department,
Fort St.George, Chennai 600009

2 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited Villupuram

3 The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust/ Post
Retirement Benefit Fund,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002

.. Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, direct the respondents to pay the differential terminal benefits viz. Gratuity and leave encashment of Rs. 1,00,339/-based on the revision of the payscale introduced by the respondent as per the 13th Settlement entered between the Union and the Management on 4.01.2018 which would be appropriate along with the interest at the rate of 18 percent per annum.

For Petitioners : Mr. P.Paramasiva Doss

For Respondents : Mr. T.Chezhiyan, AGP - R1
Mr. G.Saravanakumar,
Standing Counsel - R2

Mr.C.S.K.Sathish,
Standing Counsel - R3



ORDER

The relief sought for in the writ petition is to direct the respondents to pay the differential terminal benefits viz. Gratuity and leave encashment of based on the revision of pay scale introduced by the respondent as per the Settlement entered between the Union and the Management on 04.01.2018.

2. Today, when the matter was taken up for hearing, the learned standing counsel appearing for the 2nd respondent has produced a copy of the proceedings in K.No. 2101/TNSTC (V)/2022, dated 08.06.2022 ,wherein it is stated that the petitioner is entitled for difference of gratuity and difference of earned leave salary as per the settlement entered between the Union and the Management.

3. In view of the said proceedings, the respondents are directed to pay the differential terminal benefits to the petitioner as expeditiously as possible within a period of twelve weeks from the date of receipt of a copy of this Order. If any delay on the part of the respondents in settling the benefits to the petitioner, the respondent shall pay the interest at the rate of 4% per annum for the belated payment.

4. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Additional Chief Secretary,
Transport Department,
Fort St.George,
Chennai 600009
- 2 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Villupuram.



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The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust/ Post
Retirement Benefit Fund,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002

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+1cc to Mr.C.S.K.Sathish,, Advocate, S.R.No.33667
+1cc to Mr. G.Saravanakumar,, Advocate, S.R.No.32977
+1cc to Mr. P.Paramasiva Doss, Advocate, S.R.No.32904
+1cc to the Government Pleader, S.R.No.34268

W.P.No. 12290 of 2022

RR(CO)
CT/24/06/2022