



WEB COPY



W.P.No.14268 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.14268 of 2022

D.Murugesan

.. Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Transport Department,
Secretariat, Chennai - 600 009.

2. M/s.Tamil Nadu State Transport
Corporation (Kum) Ltd.,
Rep. by its Managing Director,
Railway Station New Road,
Kumbakonam.

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the second respondent to settle a sum of Rs.8,95,717/- towards gratuity, a sum of Rs.3,86,112/- towards surrender of earned leave salary, Rs.5,33,676/- towards commutation of pension, periodical increment, settlement benefits arrived under Section 12(3) of Industrial Disputes Act, 1947 on 31.08.2005, 06.02.2008, 22.01.2011 and 13.04.2015, review, weightage, revised pension arrears and 25% balance pension arrears from 01.03.2016 to as on date by treating period of suspension from 01.10.2004 to 03.07.2006 as duty and consequential arrears to the petitioner herein with 6% interest by considering representation of the petitioner dated 25.04.2022.



W.P.No.14268 of 2022

For Petitioner : Mr.D.Soundar Raj
For Respondent 1 : Mr.S.Rajesh
Government Advocate
For Respondent 2 : Mr.D.Venkatachalam
Standing Counsel for TNSTC

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ORDER

The petitioner has filed this writ petition seeking settlement of his retirement benefits in full.

2. The learned counsel appearing for the petitioner submitted that the petitioner's retirement benefits were not disbursed by the respondents in full. However, the learned counsel appearing for the second respondent submitted that there is no difference amount payable to the petitioner and the second respondent Corporation has already settled the retirement benefits to the petitioner as per the Rules.

3. In view of the above rival submissions made by the learned counsel for the parties, earlier, this Court has directed the learned counsel for the respondents to file a calculation memo.



W.P.No.14268 of 2022

4. Accordingly, today, when the matter was taken up, the learned counsel for the second respondent filed the calculation memo after serving a copy to the learned counsel for the petitioner. According to the second respondent Corporation, they have settled the entire amount to the petitioner and there is no due payable to the petitioner. However, the learned counsel appearing for the petitioner disputed the correctness of the aforesaid calculation memo prepared by the respondents.

5. In view of the above, liberty is given to the petitioner to challenge the said calculation memo before the appropriate authority in the manner known to law. With the above liberty to the petitioner, the writ petition is disposed of. No costs.

07.07.2022

Index: Yes / No

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To

1. The Additional Chief Secretary to Government,
Transport Department,
Secretariat, Chennai - 600 009.
2. The Managing Director,
M/s.Tamil Nadu State Transport Corporation (Kum) Ltd.,
Railway Station New Road,
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W.P.No.14268 of 2022

D.KRISHNAKUMAR, J.

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