



WP(MD)No.13291 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.13291 of 2022

T.Jeganathan

... Petitioner

/vs./

- 1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.
- 3.The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to revise petitioner's



WP(MD)No.13291 of 2022

WEB COPY

terminal benefits namely gratuity and commuted value of pension based on the basic pay and grade pay payable to him as per settlement dated 04.01.2018 as on the date of his retirement and to pay him difference in gratuity of Rs.60,231/- and difference in commuted value of pension of Rs.42,893/- with 6 percent interest per annum payable from the date of his retirement to till the date on which the above difference amounts in terminal benefits are settled to him, within a time frame that may be fixed by this Court.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Jagadees Balan

Standing Counsel (for R1 & R2)

Mr.S.C.Herold Singh

Standing Counsel (for R3)

ORDER

The limited prayer sought for in the present Writ Petition is for disbursal of a sum of Rs.60,231/- towards difference in gratuity and a sum of Rs.42,893/- towards difference in commuted value of pension, together with interest.

2.When the petitioner herein had made an application under the Right to Information Act, 2005, for details of his entitlement for the Post Retirement Benefits Scheme, the second respondent, through an order dated 22.07.2019, had



WP(MD)No.13291 of 2022

WEB COPY

replied stating that the petitioner is entitled for Rs.60,231/- towards difference in gratuity and a sum of Rs.42,893/- towards difference in commuted value of pension. Admittedly, the aforesaid sum has not been paid to the petitioner at the time of his retirement on 31.03.2014.

3.In the light of the information supplied by the respondent herein, there shall be a direction to the second respondent to consider the petitioner's representation dated 12.05.2022 within a period of eight (8) weeks from the date of receipt of a copy of this order and disburse the said amount of Rs.60,231/- towards difference in gratuity and a sum of Rs.42,893/- towards difference in commuted value of pension, together with interest at the rate of 6% from the date, on which the amount is due to the petitioner herein.

4.With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

29.07.2022

Index : Yes / No

Internet : Yes / No

sm

3/4



WEB COPY



WP(MD)No.13291 of 2022

M.S.RAMESH, J.

Sm

TO:

- 1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Karaikudi.
- 3.The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai – 2.

Order made in
W.P.(MD)No.13291 of 2022

Dated:
29.07.2022