



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Second day of December Two Thousand and Twenty

PRESENT

The Hon'ble Mr. Justice KRISHNAN RAMASAMY

WP(MD). No.14752 of 2020

S.Ganesan

... Petitioner

Vs

1 The Deputy Secretary to Government,
Transport (C1) Department,
Secretariat, Chennai - 600 009

2 The Managing Director,
Tamilnadu State Transport Corporation (Madurai Ltd)
Madurai Regional Office,
Bye Pass Road Madurai - 625 010.

3 The General Manager,
Tamilnadu State Transport Corporation,
Virudhunagar Division.

... Respondents

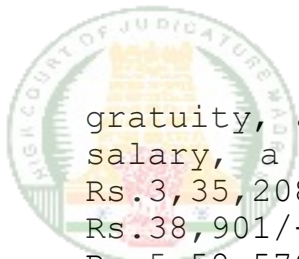
Prayer in WP(MD).No.14752 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-7. to issue a writ, order or direction in the nature of writ of mandamus directing the respondents to disburse the Surrendered Leave Salary of Rs.1,19,160/- Difference in arrears of Gratuity Rs.48,474/-, Difference in arrears of Earned Leave Salary Rs.39,675/- Difference in arrears of commutation Rs.3,35,208/- and Difference in Dearness Allowance of Rs.38,901/- with regard to the implementation of 7th Pay Commission and also pay the interest of 18 percent till the date of final settlement.

ORDER: -

Writ Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.Arivalagan, Advocate for the Petitioner and of Mr.J.Senthilkumariah, Advocate For the Respondents No.2 and 3 and of Mr.N.Shanmuganathan, Additional Government Pleader On Behalf of the 1st Respondent, this Court made the following order:

The learned counsel appearing for the petitioner submitted that towards the surrender leave salary, the respondents are liable to pay a sum of Rs.1,19,160/-. Similarly, towards the arrears of



gratuity, a sum of Rs.48,474/-, towards the arrears of earned leave salary, a sum of Rs.39,675/-, towards the commutation, a sum of Rs.3,35,208/- and towards the Dearness Allowance, a sum of Rs.38,901/-, in total the respondents are liable to pay a sum of Rs.5,58,570/- along with 18% interest for the delay in disbursement of the above said amount. In this regard, the petitioner has made a representation to the second respondent, on 17.09.2020. But the second respondent has not taken any steps to disburse the above said amount.

2. Mr.J.Senthil Kumariah, learned Standing counsel appearing for the respondents 2 and 3 seeks time to file counter with regard to the eligibility of the petitioner to get the claim made in the representation.

3. Post the matter on 11.12.2020, to file counter. In the event of not filing the counter, this Court directs the Managing Director, Tamil Nadu State Transport Corporation, (Madurai Limited), Madurai Regional Office, Bye Pass Road, Madurai 10, the second respondent herein, to appear before this Court on 11.12.2020 and assist the Court to pass orders.

Sd/-

Assistant Registrar (CS-I)

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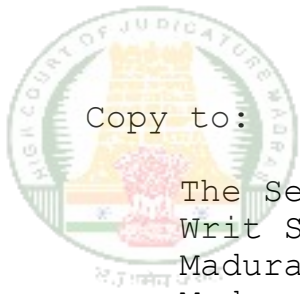
/ /2020

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Deputy Secretary to Government,
Transport (C1) Department,
Secretariat, Chennai - 600 009.
2. The Managing Director,
Tamilnadu State Transport Corporation (Madurai Ltd)
Madurai Regional Office,
Bye Pass Road, Madurai - 625 010.
3. The General Manager,
Tamilnadu State Transport Corporation,
Virudhunagar Division.



Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

(For listing the matter on 11.12.2020)

ORDER DATED 02.12.2020

ORDER

WP (MD) No.14752 of 2020

NS (CO)

CS (09.12.2020) 3P 5C