



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2022

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD)No.24653 of 2018

A.Udhayakumar

...Petitioner

/Vs./

1.State Express Transport Corporation (TamilNadu)
Limited,
represented by its Managing Director,
Pallavan Salai,
Chennai -2.

2.The General Manager (Administration),
State Express Transport Corporation (Tamil Nadu)
Limited,
Pallavan Salai,
Chennai -2.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to compute and pay the petitioner the entire commuted value of pension, earned leave salary, difference in gratuity, difference in provident fund and difference in salary for the period from 01.09.2016 to 31.12.2017, by taking into account pay revision given in the settlement entered under Section 12(3) of I.D.Act, dated 04.01.2018 together with interest at the rate of 18% per annum for the above amounts from the date of the petitioner's retirement till the date on which the above amounts settled to the petitioner, within a time frame as fixed by this Court.

For Petitioner : Mr.Manivannan

for Mr.A.Rahul

For R1 & R2 : Mr.K.Sathiya Singh
Standing counsel

O R D E R

Heard Mr.Manivannan, learned counsel for the petitioner and Mr.K.Sathiya Singh, leaned Standing counsel for the State Express Transport Corporation (Tamil Nadu) Limited.

2. The petitioner has sought a Mandamus directing the respondents to compute and pay over various benefits such as the commuted value of pension, earned leave salary, difference in gratuity, provident fund and salary, all by taking into account a



pay revision under settlement dated 04.01.2018 together with interest.

3. Such computation involves the appreciation of facts that would not be appropriate in a writ petition under Article 226 of the Constitution.

4. That apart, the petitioner has made the same request as made in this writ petition under a representation, dated 22.11.2018 and Mr.KSathya Singh, learned Standing counsel would submit that the respondents may be directed to dispose the same.

5. Thus, there is a direction to R1, to hear the petitioner and pass orders on the representation of the petitioner within a period of six weeks from today.

6. With this direction, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

akv

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.State Express Transport Corporation (TamilNadu) Limited,
represented by its Managing Director,
Pallavan Salai, Chennai -2.

2.The General Manager (Administration),
State Express Transport Corporation (Tamil Nadu) Limited,
Pallavan Salai, Chennai -2.

+1 CC to M/s.A.RAHUL, Advocate (SR-3516[F] dated 01/02/2022)

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-3583[F] dated 02/02/2022)

Order made in
W.P.(MD)No.24653 of 2018
Dated: 01.02.2022

ac(CO)

TR(09.02.2022) 2P 5C

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