



WEB COPY



W.P. No. 4855 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 4855 of 2020

R. Dhandapani

... Petitioner

-VS-

Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by its Managing Director,
3/137, Salamedu,
Villupuram – 605 401.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to pay the Petitioner a sum of Rs. 60,320/- towards interest for the belated payment of Gratuity, a sum of Rs. 924/- towards interest for the belated payment of Earned Leave Salary Amount and to refund the amount of Rs. 1,36,800/- which was illegally deducted from his earned leave salary with interest at the rate of 6% till the amount is actually paid.

For Petitioner : Mr. R.Krishnaswamy

For Respondents : Mr. R.Venkatesh Perumal

ORDER

Heard Mr. R.Krishnaswamy, Learned Counsel for the Petitioner and Mr. R.Venkatesh Perumal, Learned Counsel for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.



2. The Petitioner, who was working as Special Grade Driver in the service of the Transport Corporation of the Respondent, retired from service on 31.05.2018 on attaining the age of superannuation.

3. The grievance ventilated by the Petitioner in this Writ Petition is that the entire terminal benefits payable to him with interest has not been made by the Respondent despite his representation dated 17.10.2019 sent in that regard.

4. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the Respondent shall immediately examine the representation dated 17.10.2019 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal



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hearing to the Petitioner and all other persons concerned to explain their position in that regard;

- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 30.09.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

06.03.2023

skr

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 10.07.2023



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P.D. AUDIKESAVALU, J.

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To

Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by its Managing Director,
3/137, Salamedu,
Villupuram – 605 401.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600104.

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