



WEB COPY



W.P. No. 8023 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2023

CORAM

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

W.P. No. 8023 of 2023

S.Mythili

... Petitioner

-VS-

M/s.Metropolitan Transport Corporation Ltd.,
Rep. By its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.
(Respondent's name has been amended vide
order dated 03.04.2023 in W.M.P. No. 9578 of 2023)

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the respondent to settle a sum of Rs.2,10,928/- to the petitioner towards payment of balance gratuity and leave salary due to 7th Pay Commission recommendation and consequential interest of 4% by considering the representation of the petitioner dated 15.02.2023.

For Petitioner : Mr. D.Soundar Raj

For Respondent : Mr. R.Balaji

ORDER



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Heard Mr. D.Soundar Raj, Learned Counsel appearing for the Petitioner and Mr. R.Balaji, learned Counsel appearing for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that she had made a representation dated 15.02.2023 to the Respondent to pay a sum of Rs. 2,10,928/- to her towards balance gratuity and leave salary due to VII Pay Commission recommendation and consequential interest at the rate of 4% per annum, but as it did not evoke any response, she has filed this Writ Petition.

3. 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 concerned authority shall immediately examine the representation dated 15.02.2023 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



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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 hearing to the Petitioner to explain her 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 31.08.2023 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.

03.04.2023
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sgl

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 02.06.2023.



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P.D. AUDIKESAVALU, J.

Sgl

To

The Managing Director,
M/s.Metropolitan Transport Corporation Ltd.,
No.2, Pallavan Salai, Chennai – 600 002.

Copy to

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

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