



WEB COPY



W.P. No. 6916 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM

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

W.P. No. 6916 of 2023

Arithirumal

... Petitioner

-VS-

1. The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Vazhuthareddy Post
Salamedu, Villupuram-605 602.

2. The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Cuddalore Region
Cuddalore.

... 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 difference of terminal benefits of Gratuity, Commutation and Leave Salary interest at a rate of 9% p.a. as per 12th wage settlement along within the stipulated time as may be fixed by this Court.



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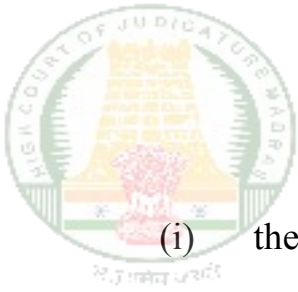
For Petitioner : Mr. N.Desinghu
For Respondents : Mr. R.Venkatesh Perumal
Standing Counsel

ORDER

Heard Mr. N.Desinghu, Learned Counsel for the Petitioner and Mr. R.Venkatesh Perumal, Learned Standing Counsel, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he has made a representation dated 03.02.2020 to the First Respondent for payment of differential amount of gratuity, commutation and leave salary as per the 12th wage settlement along with interest, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the aforesaid submissions made by Learned Counsel for both sides, this Court without expressing any view on the correctness or entitlement of the claim made, passes the following order:-



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- (i) the concerned authority shall immediately examine the representation dated 03.02.2020 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 hearing to the Petitioner and all other persons concerned to explain his 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.



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4. In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

06.03.2023

Maya

Index: Yes/No

Neutral Citation: Yes/Nos

Note: Issue order copy by 01.06.2023.

To

1. The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Vazhuthareddy Post
Salamedu, Villupuram-605 602.
2. The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Cuddalore Region
Cuddalore.

Copy to

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



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P.D. AUDIKESAVALU, J.

Maya

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