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W.P. No. 8551 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM

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

W.P. No. 8551 of 2023

G.Ravi

... Petitioner

-VS-

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

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Benefit Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

... 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 difference of Gratuity amount, leave salary and pension arrears as per the 12(3) settlement along with interest at the rate of 18% within the stipulated time.

For Petitioner : Mr. J.Pradeep

For Respondents : Mr. R.Venkatesa Perumal for R1

Mr. C.S.K.Sathish for R2

ORDER



W.P. No. 8551 of 2023

WEB COP Heard Mr. J.Pradeep, Learned Counsel for the Petitioner, Mr. R.Venkatesa Perumal, Learned Counsel, who takes notice for the First Respondent, and Mr. C.S.K.Sathish, Learned Counsel, who takes notice for the Second Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. Though the Writ Petition has been filed for directing the Respondents to pay the differential amount of gratuity, leave salary and pension arrears as per the 12(3) settlement along with interest at the rate of 18% within the stipulated time to the Petitioner, Learned Counsel for the Petitioner submits that the Petitioner would be satisfied, if the representation dated 10.12.2022 made by him in that regard is directed to be disposed by the concerned authority within the time limit that may be fixed by the Court.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-



W.P. No. 8551 of 2023

- (i) the concerned authority shall immediately examine the representation dated 10.12.2022 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 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.

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



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Sgl

Index: Yes/No

Neutral Citation : Yes/No

Note: Issue order copy by 05.06.2023.

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Limited, Vazhuthareddy Post,
Salamedu, Villupuram – 605 602.
- 2.The Administrator, Tamil Nadu
State Transport Corporation,
Employees Post Retirement Benefit Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



W.P. No. 8551 of 2023

20.03.2023



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P.D. AUDIKESAVALU, J.

Sgl

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