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W.P. No. 8564 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. 8564 of 2023

K.Rajendiran

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vazhuthareddy,
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 settle the differential Gratuity, differential Leave salary amount and pension arrear amount and interest for commutation amount along with interest at the rate of 18% within the specified time.

For Petitioner : Mr. J.Pradeep

For Respondents : Mr. R.Venkatesa Perumal (R1)
Mr. C.S.K.Sathish (R2)



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ORDER

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Heard Mr. J.Pradeep, Learned Counsel for the Petitioner, Mr. R.Venkatesa Perumal, Learned Counsel takes notice for the First Respondent and Mr. C.S.K.Sathish, Learned Counsel 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 settle the differential Gratuity, differential leave salary amount and pension arrear and commutation amount along with interest at the rate of 18% per annum within the specified time to the Petitioner, Learned Counsel for the Petitioner submits that the Petitioner would be satisfied, if the representation dated 12.11.2022 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:-

(i) the concerned authority shall immediately examine the representation



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dated 12.11.2022 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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20.03.2023

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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,
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.



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P.D. AUDIKESAVALU, J.

Sgl

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