



WEB COPY



W.P. No. 8765 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

CORAM

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

W.P. No. 8765 of 2023

G.Sekar

... Petitioner

-VS-

1. The Managing Director
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Vazhuthareddy Post
Salamedu
Villupuram – 605602.

2. The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Vellore Region
Rangapuram
Vellore – 9.

... 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 disburse the payments relating to difference of gratuity, EL surrender, ERBS pension and 11 days salary of last month and considering the Petitioner representation dated 28.01.2023 with effect from 01.04.2017 within the stipulated time as may be fixed by this Court.



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For Petitioner : Mr. N.Desinghu

For Respondents : Mr. R.Venkatesa Perumal

ORDER

Heard Mr. N.Desinghu, Learned Counsel for the Petitioner and Mr. R.Venkatesa Perumal, Learned Counsel 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 had made representation dated 28.01.2023 to the Respondents to make payment of differential amount of gratuity, earned leave surrender, ERBS pension and last month 11 days salary to him, but as it did not evoke any response, he has filed this Writ Petition.

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



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- (i) the concerned authority shall immediately examine the representation dated 28.01.2023 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 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.



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

No costs.

21.03.2023

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Maya

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 02.06.2023.

To

1. The Managing Director
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Vazhuthareddy Post
Salamedu
Villupuram – 605602.
2. The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Vellore Region
Rangapuram
Vellore – 9.

Copy to

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



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P.D. AUDIKESAVALU, J.

Maya

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