



W.P. No. 10137 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2023

CORAM

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

W.P. No. 10137 of 2023

1. A.Elangovan
2. A.Babu Mony
3. S.Viswanathan
4. K.Sampath Kumar
5. N.Kumaravel
6. S.Vijayakumar
7. R.S.Tamil Selvan
8. R.Uma Rani

... Petitioners

-VS-

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited,
3/137, Salamedu, Valudha Reddy Post,
Villupuram – 605602.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vellore Region,
Rangapuram,
Vellore – 632009.

... Respondents



W.P. No. 10137 of 2023

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 in gratuity with 10% interest to the Petitioners by taking note of initial training period for calculating gratuity.

For Petitioners : Mr. S.T.Varadarajalu

For Respondents : Mr. R.Venkatesa Perumal

ORDER

Heard Mr. S.T.Varadarajalu, Learned Counsel for the Petitioners and Mr. R.Venkatesa Perumal, Learned Counsel appearing for the Respondents 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 differential amount of gratuity along with interest at the rate of 10%per annum to the Petitioners by taking note of their initial training period, Learned Counsel for the Petitioner submits that the Petitioner would be satisfied, if the representations dated 24.01.2023, 25.01.2023, 30.01.2023 and 23.02.2023 made by them in that regard is directed to be disposed by the concerned authority within the time limit that may be fixed by the Court.



W.P. No. 10137 of 2023

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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 representations dated 24.01.2023, 25.01.2023, 30.01.2023 and 23.02.2023 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 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 their 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;



W.P. No. 10137 of 2023

(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.

21.04.2023

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Index: Yes/No

Note: Issue order copy by 09.06.2023.

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited,
3/137, Salamedu, Valudha Reddy Post,
Villupuram – 605602.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vellore Region,
Rangapuram,
Vellore – 632009.



Copy to

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



W.P. No. 10137 of 2023



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W.P. No. 10137 of 2023

P.D. AUDIKESAVALU, J.

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W.P. No. 10137 of 2023

21.04.2023

2/2