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W.P. No. 11850 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM

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

W.P. No. 11850 of 2023

Selvakumar

... Petitioner

-VS-

1. The Managing Director
Tamil Nadu State Transport Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram.
2. The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Limited
Kancheepuram Region
Kancheepuram.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Benefit Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai – 600002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents directing the Respondents to settle the differential Gratuity, differential Leave Salary and PRBS amount along with interest at the rate of 18% within the stipulated time as fixed by the Court.

For Petitioner : Mr. N.Desinghu

For Respondents : Mr. R.Venkatesa Perumal (R1 & R2)

Mr. C.S.K.Sathish (R3)



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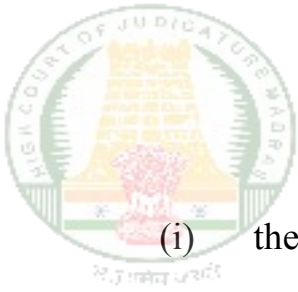
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ORDER

Heard Mr. N.Desinghu, Learned Counsel for the Petitioner and Mr. R.Venkatesa Perumal, Learned Counsel for the First and Second Respondents and Mr. C.S.K.Sathish, Learned Counsel for the Third 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 settle the differential amount of gratuity, leave Salary and PRBS amount along with interest at the rate of 18% per annum within the stipulated time, Learned Counsel for the Petitioner submits that the Petitioner would be satisfied, if the representation dated 09.03.2023 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. as fixed by the Court.

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 the controversy, passes the following order:-



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- (i) the concerned authority shall immediately examine the representation dated 09.03.2023 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;
- (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, the Writ Petition is disposed on the aforesaid terms. No costs.

19.04.2023

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) Limited
Vazhuthareddy
Villupuram.
2. The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Limited
Kancheepuram Region
Kancheepuram.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Benefit Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai – 600002.

Copy to

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



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P.D. AUDIKESAVALU, J.

Maya

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