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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2023

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.29853 of 2023

M.Karunanidhi

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu, Valudhareddy Post,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Regional Office,
Ponnerikkarai, Karapettai,
Chennai Bangaluru Highway,
Kancheepuram – 631 552.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay the pending amount of difference of Leave Liability of Rs.38,615/- difference of Gratuity of Rs.89,484/- Retirement Benefit Fund Scheme of Rs.18,500/- and Rs.47,221/- of total surrender value of Earned Leave as communicated in Letter No.10667 – 11586(805)/PIO/TNSTC(V) 2023 dated 15.09.2023 under Right to Information Act, 2005 along with interest at the rate of 4% per annum payable from the date of retirement in the light of the judgment made



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by this Court on 15.06.2023 in W.P.No.17792 of 2023.

For Petitioner : Mr.T.Dharani
For Respondents : Mr.M.Bindran
Additional Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner had retired from service from the respondent Corporation on 30.06.2022. It is contended that all dues payable to the petitioner as on the date of retirement on 30.06.2022 are yet to be paid. To an application made by the petitioner under the Right to Information Act, seeking for his eligible amount pending towards the difference of gratuity and other monetary benefits and surrender of earned leave, the respondent, in their reply dated 15.09.2023, had stated that the petitioner was entitled for a sum of Rs.89,484/- towards difference of gratuity and Rs.38,615/- towards difference of leave liability and Rs.47,221/- as surrender value of earned leave and Rs.18,500/- towards Retirement Benefit Fund.



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3. In view of the admitted fact that the petitioner is eligible for the amount, which has not been paid till date, the petitioner would be entitled for interest on the outstanding amount.

4. In the light of the above observations, the respondents are directed to pay the petitioner a sum of Rs.89,484/- towards difference of gratuity and Rs.38,615/- towards difference of leave liability and Rs.47,221/- as surrender value of earned leave together with interest at the rate of 4% from the date on which he would be eligible for such payment, till the date of actual disbursement, within a period of four weeks from the date of receipt of a copy of this order. It is contended that the retirement benefits had already been received by the petitioner.

5. Accordingly, the Writ Petition stands disposed of. No costs.

17.10.2023

Jeni
Index : Yes / No
Speaking order : Non-speaking order
Neutral Citation : Yes / No



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To

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V.BHAVANI SUBBAROYAN, J.

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