



WEB COPY



W.P. No.8082 of 2015

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 30.07.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P. No.8082 of 2015**

A.Gregory

... Petitioner

Vs.

1.The State of Tamil Nadu,  
Rep. by its Secretary to Government,  
Transport Department,  
Secretariat, Fort St.George,  
Chennai 600 009.

2.The Managing Director,  
State Express Transport Corporation Ltd.,  
No.2, Pallavan Salai,  
Chennai 600 002.

3.The General Manager,  
State Express Transport Corporation Ltd.,  
No.2, Pallavan Salai,  
Chennai 600 002.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India,  
praying to issue a Writ of Certiorarified Mandamus calling for the records  
relating to the impugned proceedings issued by the 2<sup>nd</sup> respondent in order



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No.0054701/HR6/SETCTN/2014 dated 27.02.2015 and to quash in so far as the denial of settlement of terminal benefits payable to the petitioner and consequently directing the respondents to make the payment of retirement benefits to the petitioner as on the date of retirement on 28.02.2015 including pensionary benefits along with interest for the delayed payment, within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr.Abishek Murthy,  
Government Advocate for R1.  
Mr.L.S.M.Hasan Fizal,  
Standing Counsel for R2, R3.

### **ORDER**

The writ petition is filed challenging the impugned proceeding dated 27.02.2015 insofar as it denied the settlement of terminal benefits payable to the petitioner.

2. Today, when the matter was called, the learned counsel for the respondents filed a counter before this Court wherein it has been stated that



terminal and pensionary benefits have already been settled to the petitioner. The

relevant portions of the counter are extracted hereunder:

*“5. It is submitted that the petitioner relieved from service on 15.04.2015 after disposal of disciplinary proceedings.*

*6. It is submitted that the following Terminal Benefits and pensionary benefits were already settled to the petitioner:*

| <b>Sl.No.</b> | <b>Name of the benefits</b>  | <b>Amount in Rs.</b>      | <b>Mode of payment</b> |
|---------------|------------------------------|---------------------------|------------------------|
| 1.            | Gratuity                     | 10,00,000/-               | ECS 23.05.2017         |
| 2.            | Provident Fund               | 6,93,77/-                 | ECS 23.05.2017         |
| 3.            | Social Security Scheme       | 30,102/-                  | ECS 23.06.2017         |
| 4.            | IRT Refund                   | 4,040/-                   | ECS 24.08.2016         |
| 5.            | Leave Salary                 | 4,000/-                   | ECS 16.10.2017         |
|               |                              | 35,000/-                  | ECS 31.10.2017         |
|               |                              | 3,68,344/-                | ECS 12.01.2018         |
| 6.            | Provident Fund Interest      | 89,552/-                  | ECS 16.08.2018         |
| 7.            | Gratuity Interest            | 1,32,822/-                | ECS 18.08.2018         |
| 8.            | Towards commutation          | 4,54,043/-                | ECS by Pension Trust   |
| 9.            | Towards Commutation Interest | 23,137/-                  |                        |
| 10.           | <b><u>Total</u></b>          | <b><u>28,34,417/-</u></b> |                        |

*7. Therefore this corporation have been settled totally Rs.28,34,417/- towards retirement benefits to the writ petitioner / Thiru.A.Gregory.*

*8. It is submitted that the petitioner have paid Rs.25,276/-*



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*(Rupees Twenty Five Thousand Two Hundred Seventy Six Only)  
towards Monthly pension.*

*9. In these above circumstances this Respondent Corporation No.2 and 3 was fully complied the Writ Petition No.8082 of 2015. Hence it is humbly submitted that the Writ Petition is liable to be dismissed by this Court.”*

3. The learned counsel for the petitioner would submit that they seek liberty of this Court to make a representation, if there is any due over and above what has been paid as set out in the counter filed by the respondents, to which the learned counsel for the respondents does not have any objection.

4. In view of the above submission of the learned counsels for the petitioner and respondents, liberty is granted to the petitioner to make a representation, in the event of any short fall in the payment of what is due to the petitioner. If any such representation is made, the same shall be considered and pass orders in accordance with law.



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**WEB COPY** 5. With the above direction, the writ petition stands disposed of. No costs.

**30.07.2024**

Speaking (or) Non Speaking Order

Index : Yes/ No

Internet: Yes/No

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To:

- 1.The State of Tamil Nadu,  
Rep. by its Secretary to Government,  
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**MOHAMMED SHAFFIQ, J.**

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