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W.P.No.10240 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.BHARATHA
CHAKRAVARTHY**

Writ Petition No.10240 of 2024

P.Gunasekaran

... Petitioner

Vs.

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Erode Region,
Rep. by its Managing Director,
Erode.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondent to pay the petitioner the difference/arrears of wages for the period from 01.09.2019 to 31.03.2020 and also terminal benefits namely Gratuity and Encashment of Leave, after revising the same based on the scale of pay payable to him on the month of his retirement, as admitted by the respondent in the RTI information dated 05.03.2024, together with 18% interest per annum within a time frame as may be fixed by this Court.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.M.Murali Vinoth
Standing Counsel



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ORDER

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This writ petition is filed seeking for a writ of mandamus directing the respondent to pay the petitioner, the difference/arrears of wages for the period from 01.09.2019 to 31.03.2020 and also terminal benefits namely Gratuity and Encashment of Leave, after revising the same based on the scale of pay payable to him on the month of his retirement, as admitted by the respondent in the RTI information dated 05.03.2024, together with 18% interest per annum within a time frame as may be fixed by this Court.

2. Mr.M.Murali Vinoth, learned Standing Counsel takes notice for the respondent. He would submit that the information furnished under the Right to Information Act, 2005, which also annexed in the typed set of papers itself admits the liability. He would also submit that the same will be paid to the petitioner within a reasonable time as may be fixed by this Court.

3. Learned counsel for the petitioner submitted that, in all the connected matters, this Court has consistently allowed the payment with interest at the rate of 6% per annum.

4. In that view of the matter, this writ petition is disposed of on



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the following terms:

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- 1) The respondent is directed to disburse the remaining terminal benefits namely gratuity and encashment of leave to the petitioner, to which he may be entitled to as per the Rules within a period of eight (8) weeks from the date of receipt of a copy of this order with interest at the rate of 6% per annum from the date on which the amounts became due till the date of disbursement;
- 2) If the amount is not paid within a period of eight (8) weeks, thereafter, the same shall carry the interest at the rate of 12% per annum from the date on which the amounts became due, till the date of disbursement.
- 3) No costs.

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Index: Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No
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D.BHARATHA CHAKRAVARTHY, J.

mp

To

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Erode Region,
Rep. by its Managing Director,
Erode.

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