



W.P.No.11603 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11603 of 2024

M.Soosainathan

.. Petitioner

Versus

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Salai,
Salem - 636 007.
2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Dharmapuri.
3. The Administrator,
The Tamil Nadu Transport Corporation
Employees Pension Fund Trust,
Thriuvalluvar Illam,
Pallavan Salai,
Chennai - 02.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the respondents to pay the differential Gratuity, leave encashment, D.A arrear and pension arrear amount as per the 12(3) settlement along with interest at the rate of 18% within the stipulated time as may be fixed by this Court.



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For Petitioner : Mr.J.Pradeep

For Respondents : Mr.K.Raja,
Standing Counsel for RR-1 and 2

: Mr.C.S.K.Sathish, for R3

ORDER

This petition is filed for a direction to the respondents to pay the differential Gratuity, leave encashment, D.A arrears and pension arrears amount as per the 12(3) settlement along with interest at the rate of 18% per annum within the stipulated time as may be fixed by this Court.

2. When the matter came up for hearing, the learned Counsel for the petitioner not pressed the relief as far as the D.A arrears is concerned as the same is a subject matter pending before the Division Bench of this Court and the petitioner would renew the request at a later point in time.

3. The prayer in the Writ Petition is only to pay the difference in Gratuity, leave encashment and pension arrears as per the 12(3) settlement along with the interest at the rate of 18% per annum.



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4. *Mr.K.Raja*, learned Standing Counsel takes notice for the respondent Nos.1 and 2 and *Mr.C.S.K.Sathish*, learned Counsel takes notice for the third respondent. They would submit that the eligible amount will be paid to the petitioner within a reasonable time as may be fixed by this Court.

5. The learned Counsel for the petitioner would submit that, in all the connected matters, this Court has consistently allowed the payment with interest at the rate of 6% per annum.

6. In that view of the matter, this Writ Petition is disposed of on the following terms:

(i) The respondents shall calculate the differential Gratuity, leave encashment and pension arrears as per the 12(3) settlement and as per the eligibility of the petitioner under the Rules and pay to the petitioner within a period of twelve 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 amount became due, till the date of disbursement;

(ii) If the amount is not paid within the period of twelve weeks, thereafter, the same shall carry the interest at the rate of 12% per annum



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from the date on which the amount became due, till the date of disbursement;

(iii) There shall be no order as to costs.

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Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

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D.BHARATHA CHAKRAVARTHY, J.

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