



WEB COPY



W.P.No.11791 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.11791 of 2024

K.Sundaramoorthy

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd,
Vazhuthareddy,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd,
Vellore Region,
Vellore – 632 009.

3.The Administrator,
Tamilnadu State Transport Corporation
Employees Post Retirement Benefit Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to settle the difference of gratuity, leave liability, pension commutation and pension arrear amount along with interest at the rate of 18% within the stipulated time.

For Petitioner : Mr.J.Pradeep



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For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel
for R1 and R2
Mr.C.S.K.Sathish
for R3

ORDER

This writ petition is for a mandamus to direct the respondents to settle the difference in gratuity, leave liability, pension commutation and pension arrear along with interest at the rate of 18%.

2. The contentions of the petitioner is that the petitioner is entitled for re-calculation and the arrears amount as per G.O.(MS)No.146 Transport (C) Department, dated 30.11.2015.

3. Mr.R.Venkatesa Perumal, learned Standing Counsel takes notice for the first and second respondents and Mr.C.S.K.Sathish, learned counsel takes notice for the third respondents would submit that the respondents would consider the case of the petitioner as per the Rules and the remaining amount, if any, would be paid within a reasonable period that may be granted by this Court.



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4. Both side learned counsel also bring to the notice of the court in all identical matter interest at the rate of 6% p.a., is being ordered by this Court.

5. In view thereof, this Writ Petition is disposed of on the following terms:-

(i)The respondent shall consider the claim of the petitioner for settling the difference in gratuity, leave salary, pension commutation and pension arrear etc., and if the petitioner is found eligible as per the Rule, same an be paid out to him within a period of 12 weeks from the date of receipt of a copy of this order along with interest at the rate of 6% p.a., from the date on which the amount being due, till the date of disbursement;

(ii)If the amount is not paid within a period of twelve (12) weeks, thereafter, the interest shall be calculated at the rate of 12% per annum from the date on which the amount became due till the date of disbursement.

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

25.04.2024

Index: Yes

Speaking Order: Yes

Neutral Citation: No



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D.BHARATHA CHAKRAVARTHY, J.

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