



WEB COPY

W.P.No.15332 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

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

W.P.No.15332 of 2022

S. Kalaiselvam
Petitioner

...

-Vs-

1. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram.

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust/
Post Retirement Benefit Fund,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

...

Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to pay the differential terminal benefits viz., Gratuity and leave encashment by implementing the revision of the pay scale from the rate of 100% to 107% with regard to the dearness allowance based on G.O.Ms.No.245 Finance (Allowance) dated 10.10.2014 and to pay the differential sum of terminal benefits which would be appropriate along with the interest at the rate of 18%



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For Petitioner : Mr.P.Paramasiva Doss

For Respondent : Mr.R.Balaji for R1
Mr.C.S.K.Sathish for R2

ORDER

This writ petition is filed for issuance of a Writ of Mandamus to direct the respondents to pay the differential terminal benefits viz., Gratuity and leave encashment by implementing the revision of the pay scale from the rate of 100% to 107% with regard to the dearness allowance based on G.O.Ms.No.245 Finance (Allowance) dated 10.10.2014 and to pay the differential sum of terminal benefits which would be appropriate along with the interest at the rate of 18% per annum.

2. Mr.R. Balaji, learned counsel appearing on behalf of the 1st respondent and Mr.C.S.K.Sathish, learned counsel appearing on behalf of the 2nd respondent submitted that the amount to which the petitioner is entitled will be computed and would be paid to him as per the rules within the reasonable period as may be fixed by this Court.

3. It is also brought to the notice of this Court by the learned counsel on either side that in all the similar matters, interest at the rate of 6% has been



ordered by this Court.

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4. In that view of the matter, this writ petition is disposed of on the following terms:-

i) The respondents are directed to disburse the differential terminal benefits viz., Gratuity and Leave encashment to the petitioner as per G.O.Ms.No.245 Finance (Allowance) dated 10.10.2014 if he is eligible as per the Rules within a period of twelve (12) weeks from the date of receipt of a copy of this order with interest at the rate of 6% per annum from the date it became due till the date of disbursement;

ii) The respondents shall also pay interest at the rate of 6% per annum in respect of the terminal benefits already paid to the petitioner from the date on which the amount became due till date of disbursement;

iii) If the amounts are not paid within a period of twelve (12) weeks from the date of receipt of a copy of this order, thereafter, the interest shall be calculated at the rate of 12% per annum from the date the amounts became due till the date of disbursement;

iv) No costs.

25.04.2024
(3/3)

Index : Yes



Speaking order: Yes
dpq

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D. BHARATHA CHAKRAVARTHY, J.

dpq

To

1. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust/
Post Retirement Benefit Fund,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

W.P.No.15328 of 2022
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25.04.2024