



WEB COPY



W.P.No.18204 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.18204 of 2023

K.Kamalakaran

... Petitioner

Versus

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

2. The General Manager,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Kancheepuram.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to disburse the payments relating to difference of Gratuity, EL Surrender as per 12(3) wage settlement, ERBS Pension and last month 10 days salary amounts and considering the petitioner's representation dated 22.06.2021 within a stipulated time.

For Petitioner

: Mr.N.Desinghu



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For Respondents : Mr.R.Venkatesa Perumal

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ORDER

The present Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus directing the respondents to disburse the payments relating to difference of Gratuity, EL Surrender as per 12(3) wage settlement, ERBS Pension and last month 10 days salary amounts by considering the petitioner's representation dated 22.06.2021.

2. The case of the petitioner is that the petitioner is a retired employee from the Respondent/Corporation. The grievance of the petitioner is that the petitioner's retirement benefits was to be calculated with new basic pay with 90% of DA Rs.35,188/-, but the respondents had calculated with old basic pay of Rs.31,590/-, hence the petitioner is entitled for the difference of gratuity and leave salary, therefore, the petitioner has made a request with the respondent to settle his terminal benefits, but the respondents have not turned up. Therefore, the petitioner gave a representation to the respondents on 29.04.2023 with regard to the said issue. However, no action has been taken by the respondents till date. Hence this petition.



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3. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

4. The learned standing counsel appearing for the respondents submitted that the representation of the petitioners will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders of this Court.

5. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representation of the petitioner and pass orders on the claim made by the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.



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6. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

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Index : Yes/No
Internet: Yes / No
Speaking order : Yes/No

ssd

To

1. The Managing Director,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Vazhuthareddy Post,
Villupuram – 605 602
2. The General Manager,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
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V.BHAVANI SUBBAROYAN, J.

ssd

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