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W.P.No.16837 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2024

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THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.16837 of 2024

K.Govardhanan

... Petitioner

Vs.

The Managing Director,
Metropolitan Transport,
Corporation (Chennai) Ltd.,
2, Pallavan Illam,
Anna Salai, Chennai-600 002.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondent to pay interest @ 10 % for the belated payment of Gratuity amount of Rs.2,49,810/- as per the order dated 19.04.2023 passed in P.G.No.36 of 2022 to the petitioner.

For Petitioner : Mr.S.T.Varadarajulu

For Respondent : Mr.R.Vinoth Raj
Senior Counsel



W.P.No.16837 of 2024

ORDER

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This writ petition has been filed for a Mandamus to direct the respondents to pay interest @ 10 % for the belated payment of Gratuity amount of Rs.2,49,810/- as per the order dated 19.04.2023 passed in P.G.No.36 of 2022 to the petitioner.

2. The case of the petitioner is that the Gratuity was not properly calculated and paid to the petitioner. The petitioner therefore approached the appropriate Authority under the Payment of Gratuity Act, 1972 and by an Award dated 19.04.2023 in P.G.No.36/2022. Already the Authority had ordered the payment of the balance amount of Rs.2,49,810/- along with further interest at the rate of 10% p.a., from the date on which the amount become due till the date of disbursement. The said order is not yet implemented and therefore the petitioner is before this Court.

3. When the matter came up for hearing, the learned counsel for the petitioner would submit that if time is given, the said order will be implemented.

4. Mr.R.Vinoth Raj, the learned Counsel takes notice for the



W.P.No.16837 of 2024

respondent would submit that difference in Gratuity amount is paid and only the interest amount of 10% is ordered by the Authority is not yet implemented. If reasonable time is given, the said amount will also to be paid.

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

(i) The respondent is directed to calculate the interest @ 10% as ordered by the Authority within a period of two weeks from the date of receipt of a copy of this order and disburse the same not later than four weeks from the date of receipt of a copy of this order. Needless to mention that if the said amount is not disbursed within the time limit cited supra, thereafter the said amount will be payable with further interest at the rate of 18% p.a.,

(ii) No Costs.

27.06.2024

Neutral Citation: No
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To
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The Managing Director,
Metropolitan Transport,
Corporation (Chennai) Ltd.,
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D.BHARATHA CHAKRAVARTHY, J.

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W.P.No.16837 of 2024

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