



WEB COPY



W.P.No.18756 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2024

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.18756 of 2024

R.Ramadoss

... Petitioner

-Vs-

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Head Quarter,
3/137, Salamedu Vazutha Reddy P.O.,
Post Box No.56,
Villupuram – 605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram, Vellore,
Vellore District – 632 009.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to pay revised gratuity based on adding one year Training period and adding 10 percentage D.A., difference in Leave Salary based on 10 percentage increase in D.A, revised



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pension by adding one year training period and pension arrears and 10 percentage interest for the above claimed amount to the petitioner.

For Petitioner : Mr.S.T.Varadarajalu

For R1 and R2 : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER

This Writ Petition has been filed for direction directing the respondents to pay revised gratuity based on adding one year Training period and adding 10 percentage D.A., difference in Leave Salary based on 10 percentage increase in D.A, revised pension by adding one year training period and pension arrears and 10 percentage interest for the above claimed amount to the petitioner.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents 1 and 2 and perused the materials available on record.

3. The petitioner had joined in the service of the respondents Corporation as Junior Assistant/Junior Cash Keeper (Trainee) on 09.10.1985. After completion of one year training, he was appointed as Junior Assistant/Junior Cash Keeper, on 09.10.1986. Subsequently, the petitioner was promoted to the post of Superintendent and retired from service on 31.07.2013. The petitioner



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was settled with terminal benefits at 80% Dearness Allowance, though 90% Dearness Allowance was in force. Subsequently, the Government passed an order in G.O.Ms.No.401 dated 10.10.2013, thereby enhanced the Dearness Allowance rate from 80% to 90% with effect from 01.06.2013. Therefore, the petitioner is also entitled to 10% Dearness Allowance in addition to 80% Dearness Allowance.

4. That apart, the petitioner was initially appointed as Trainee for a period of one year and the same was not taken into consideration for all purposes. Therefore, the petitioner approached this Court in W.P.No.40243 of 2015. This Court, by an order dated 21.12.2015, directed the respondent to settle the terminal benefits in 12 equal installments. However, the respondent, once again failed to add 10% dearness allowance from 01.06.2013. Therefore, the petitioner submitted a representation and it is pending.

5. Considering the above facts and circumstances of the case, the respondents are directed to disburse the revised gratuity by adding one year training period into service, difference in Leave Salary, revised pension and arrears of pension with 6% interest, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

18.07.2024

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
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G.K.ILANTHIRAIYAN, J.



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