



WEB COPY



W.P.No.22005 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM:

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

**W.P.No.22005 of 2024**

K.Ramu

... Petitioner

-Vs-

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

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

3. The Administrator,  
Tamil Nadu 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 praying for the issuance of a Writ of Mandamus, directing the respondents to settle the Differential Gratuity and Differential Leave Encashment amount along with interest at the rate of 18 percentage within the stipulated time as may be fixed by this Hon'ble Court.



W.P.No.22005 of 2024

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

**ORDER**

This writ petition has been filed for direction directing the respondents to settle the Differential Gratuity and Differential Leave Encashment amount along with interest at the rate of 18 percentage within the stipulated time as may be fixed by this Hon'ble Court.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner had joined the services of the respondent and retired from service on attainment of age of superannuation on 31.05.2016. He was settled with terminal benefits. However, the petitioner's scale of pay was not revised in accordance with the 7<sup>th</sup> Pay Commission, which came into force with effect from 01.01.2016. Therefore, the petitioner is entitled for Differential Gratuity and Differential Leave Encashment amount. Hence, the petitioner submitted representation.

4. On the basis of the 7<sup>th</sup> Pay Commission, Government had issued



W.P.No.22005 of 2024

G.O.Ms.No.142, Transport (E) Department, dated 26.08.2019 for

implementation of the revision of pension to the retired employees of the State Transport Undertakings on the basis of Official Committee Recommendations. Accordingly, the Committee had recommended to implement the 13<sup>th</sup> Wage Settlement in respect of those who have retired from 01.09.2016 to 31.12.2017 and to implement the 7<sup>th</sup> Pay Commission to the Transport employees. Therefore, the petitioner submitted a representation and it is pending with the respondent. Hence, this writ petition.

5. Considering the facts and circumstances of the case, the respondents are directed to consider the representation submitted by the petitioner seeking Differential Gratuity and Differential Leave Encashment amount on the basis of the 7<sup>th</sup> Pay Commission with interest at the rate of 6% per annum to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

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



WEB COPY



W.P.No.22005 of 2024

01.08.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

mn



WEB COPY



W.P.No.22005 of 2024

To

1. The Managing Director,  
Tamil Nadu State Transport Corporation  
(Villupuram) Limited,  
Vazhuthareddy,  
Villupuram – 605 602.
2. The General Manager,  
Tamil Nadu State Transport Corporation  
(Villupuram) Limited,  
Kancheepuram Region,  
Kancheepuram.
3. The Administrator,  
Tamil Nadu State Transport Corporation,  
Employees Post Retirement Benefit  
Fund Scheme,  
Thiruvalluvar House, Pallavan Salai,  
Chennai – 600 002.



WEB COPY



W.P.No.22005 of 2024

**G.K.ILANTHIRAIYAN. J.**

mn

W.P.No.22005 of 2024

01.08.2024