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Writ Petition No.24509 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.24509 of 2024

A.Subramanian
S/o.D.Arjunan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram - 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kanchipuram Region,
Chennai - Bangalore High Road,
Ponnarikkarai, Kanchipuram - 631 552.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Trust,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus to direct the respondents to pay the difference in gratuity amount by adding one year training period and as per 7th pay commission recommendation with 10% interest, difference in Leave Salary with 10% interest and interest for the belated payment of commutation amount to the petitioner.



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For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Mr.P.Venkatesa Perumal
Standing Counsel [R1 & R2]
Mr.C.S.K.Sathish
Standing Counsel [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the difference in gratuity amount by adding one year training period and as per 7th pay commission recommendation with 10% interest, difference in Leave Salary with 10% interest and interest for the belated payment of commutation amount to the petitioner.

2. Heard Mr.S.T.Varadarajalu, learned counsel for petitioner and Mr.P.Venkatesa Perumal, learned Standing Counsel appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel appearing for third respondent.

3. The case of the petitioner is that the petitioner joined the service of the first respondent corporation as a Trainee on 02.09.1984. After rendering nearly 33 years of continuous service in the cadre of



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Selection Grade Assistant Engineer, the petitioner retired voluntarily from service on 31.03.2016.

4. The grievance of the petitioner is that the gratuity amount was settled without including the training period and interest has not been paid for the belated payment of terminal benefits. Since the representation of the petitioner dated 25.06.2024 did not evoke any response, the present writ petition has been filed seeking for the aforesaid relief.

5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioner, there shall be a direction to the respondents to pay the eligible and admissible amount with interest at the rate of 6% p.a. for the belated payment to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch interest at the rate of 12% p.a. from the date on which the amount became due and payable till the date of actual realisation.

N.ANAND VENKATESH, J



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6. The petitioner is directed to submit a fresh representation to the respondents along with a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

30.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu, Villupuram - 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kanchipuram Region,
Chennai - Bangalore High Road,
Ponnarikkurai, Kanchipuram - 631 552.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
No.2, Pallavan Salai, Chennai - 600 002.

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