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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.25068 of 2024
and WMP No.27394 of 2024

1. P.Chella Maruthu
2. K.Annamalai
3. S.Thangavel
4. S.Jeevandandam

... Petitioners

Vs.

M/s.Metropolitan Transport Corporation,
Rep. By its Managing Director,
No.1, Pallavan Salai,
Chennai 600 002

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to settle the difference in Medical leave Salary with 6 percent interest in line with G.O.Ms.



No. 220, Transport (C1) Department dated 06.08.1999 and in the light of the orders passed by this Honble court in W.P. (MD) No. 14520 of 2020 dated 21.03.2023 and in W.P. nos. 29602 , 29604, 29606 and 29609 of 2023 dated 12.10.2023 and settle the difference in Payment of Gratuity due to enhanced Dearness Allowance to the Petitioners 1 to 4 herein as per the table enclosed herein by considering their representations dated 01.11.2023 and 04.07.2024.

For Petitioner : Mr.D.Soundar Raj

For Respondents : Mr.R.Balaji
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to settle the difference in Medical leave Salary with 6 percent interest in line with G.O.Ms. No. 220 dated 06.08.1999 and in the light of the orders passed by this Honble court in W.P. (MD) No. 14520 of 2020 dated 21.03.2023 and in W.P. nos. 29602 , 29604, 29606 and 29609 of 2023 dated 12.10.2023 and also the difference in Payment of Gratuity due to enhanced Dearness Allowance to the Petitioners 1 to 4 herein by considering their representations dated 01.11.2023 and 04.07.2024.



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2. The case of the petitioners is that they were working in the respondent Corporation and retired from service after attaining the age of superannuation.

3. The grievance of the petitioners is that there were not paid with the difference in Medical Leave Salary, Dearness Allowance and Gratuity. In view of the same, the petitioners have sought for payment of difference in terminal benefits along with interest towards the delay period. The petitioner in this regard had made a representation to the respondent on 04.07.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4. Heard Mr.D.Soundar Raj, learned counsel for the petitioner and Mr.R.Balaji, learned Standing counsel for Respondent.

5. Taking into consideration the facts and circumstances of the case and the materials available on record, this writ petition is disposed of with a



direction to the respondent Corporation to pay the eligible amount as payable to the petitioners along with interest at the rate of 6% per annum for the delay period in settling the said amount in view of GO Ms.No.220 dated 06.08.1999 and the order passed by this Court in WP (MD) No.14520 of 2020 dated 21.03.2023. This payment shall be made within a period of six 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 an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation.

6.The petitioner is directed to submit a fresh representation to the respondent along with a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

02.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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**N.ANAND VENKATESH.,J
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To
M/s.Metropolitan Transport Corporation,
Rep. By its Managing Director,
No.1, Pallavan Salai,
Chennai 600 002

W.P.No.25068 of 2024

02.09.2024