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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.27708 of 2024

V.Thanikachalam

... Petitioner

Vs.

1.The Managing Director,
Tamil nadu State Transport Corporation (Villupuram) Limited,
No.3/137, Salamedu,
Valudhareddy Post, Villupuram – 605 602

2. The General manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Regional Office,
Karapettai, Ponnerikarai,
Kancheepuram – 631 552

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to pay the pending amount of difference of service Gratuity of Rs 54,217/- and the pending amount of difference of Leave Liability of Rs 41,584/- to the petitioner as communicated in Letter No. 61540/Sa.Ni.12 / TNSTC(V) KPM / 2024 dated 26.07.2024 under Right to information Act 2005 along with interest at the rate of 6 percentage per annum from the date of retirement in the light of the judgement passed by this Court on 11.01.2024 in WP No.568 of 2024 within the time that



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may be stipulated by this Court.

For Petitioner : Mr. N.Ishak
For Respondents : Mr.R.Venkatesa Perumal
Standing counsel for R1 and R2

ORDER

This writ petition has been filed seeking for the issuance of a writ of mandamus directing the respondents to pay difference in Gratuity and Leave salary amount along with interest at the rate of 6% per annum.

2. The case of the petitioner is that he retired from service after rendering 34 years of service on attaining the age of superannuation on 30.06.2017.

3. The grievance of the petitioner is that there was some difference in settling the terminal benefits viz. Gratuity and Leave Salary amount. In view of the same, the petitioner has sought for payment of the difference amount along with interest. The petitioner in this regard had made a representation to the respondent on 22.08.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.



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4. Heard Mr. N.Ishak, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned Standing counsel for respondents 1 and 2.

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 petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount. 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.

7. This writ petition is disposed of with the above directions. No



costs.

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24.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
rka

N. ANAND VENKATESH, J.



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To

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