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Writ Petition No.28988 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.28988 of 2024

N.Dasarathan
S/o. Narasaiya

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
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

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to pay the pending amount of difference of Service Gratuity of Rs.46,357/- and the pending amount of difference of Leave Liability of Rs.43,985/- 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 the interest at the rate of 6% per



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annum from the date of retirement in the light of the judgment passed by this Court on 11.01.2024 in W.P.No.568 of 2024 within the time that may be stipulated by this Court.

For Petitioner : Mr.N.Ishak

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the pending amount of difference of Service Gratuity of Rs.46,357/- and the pending amount of difference of Leave Liability of Rs.43,985/- 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 the interest at the rate of 6% per annum from the date of retirement in the light of the judgment passed by this Court on 11.01.2024 in W.P.No.568 of 2024 within the time that may be stipulated by this Court.

2. Heard Mr.N.Ishak, learned counsel for petitioner and Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for respondents.



3. The case of the petitioner is that he joined the services of the respondent transport corporation as Canteen Helper on 18.10.1988 and he retired from service on 30.06.2017.

4. The grievance of the petitioner is that the respondents have settled the terminal benefits without including the difference amounts of service gratuity and leave liability. In view of the same, the petitioner submitted a representation to the respondents on 17.08.2024 to settle the aforesaid benefits. Since the same was not considered, the present writ petition has been filed.

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.



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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.

01.10.2024

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, Valudhareddy Post,
Villupuram - 605 602.

2. The General Manager,
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