



W.P.No.30384 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 18.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30384 of 2024

R.Viswanathan

.. Petitioner

Vs.

The Tamil Nadu State Transport Corporation Ltd.,
Coimbatore Division I,
rep by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 641 043.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to pay difference in gratuity and encashment of leave salary as per 7th Pay Commission vide G.O.(Ms).No.134 Transport (D) Department dated 09.04.2018 based on revised pay structure, along with interest for the delay.

For Petitioner : Mr.D.Anand Raja

For Respondent : Mr.C.Gouthamaraj
Standing Counsels



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ORDER

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This writ petition has been filed for the issue of writ of mandamus directing the respondent to pay difference in gratuity and encashment of leave salary as per 7th Pay Commission vide G.O.(Ms).No.134, Transport (D) Department, dated 09.04.2018 based on revised pay structure, along with interest for the delay.

2.The case of the petitioner is that he was working as Special Grade Driver in the respondent Corporation and retired from service on 28.02.2017.

3.The grievance of the petitioner is that after his retirement, he was not paid the earned leave and difference in gratuity. Hence, the petitioner sent representation dated 23.09.2022 to the respondent seeking for payment of terminal benefits with interest. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.

4.Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.



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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 to pay the eligible amount with interest at the rate of 6% per annum for the delay period in settling the terminal benefits. This payment shall be made 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 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.

18.10.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

The Tamil Nadu State Transport Corporation Ltd.,
Coimbatore Division I,
rep by its Managing Director,
No.37, Mettupalayam Road, Coimbatore – 641 043.



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N.ANAND VENKATESH, J.

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