



W.P.No.30627 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30627 of 2024

D.Srithar – 03538

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
3/137, Salamedu, Valudhareddy Post,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Vellore Regional Office, Rangapuram,
Vellore – 632 009.

3.The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the pending amount of difference of Gratuity of Rs.1,35,400/-, difference of Leave Salary of Rs.78,986/-, differential pension amount of Rs.43,358/- and a total surrender Leave Salary of Rs.54,602/- to the petitioner as



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communicated to him under Right to Information Act, 2005 along with interest at the rate of 6% per annum payable from the date of retirement in the light of the judgment passed by this Court dated 11.01.2024 made in W.P.No.568 of 2024 within the time that may be stipulated by this Court.

For petitioner	:	Mr.N.Ishak
For RR 1 & 2	:	Mr.R.Venkatesa Perumal Standing Counsel
For R3	:	Mr.C.S.K.Sathish Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to pay the pending amount of difference of Gratuity of Rs.1,35,400/-, difference of Leave Salary of Rs.78,986/-, differential pension amount of Rs.43,358/- and a total surrender Leave Salary of Rs.54,602/- to the petitioner as communicated to him under Right to Information Act, 2005 along with interest at the rate of 6% per annum payable from the date of retirement in the light of the judgment passed by this Court dated 11.01.2024 made in W.P.No.568 of 2024 within the time that may be stipulated by this Court.



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2.The case of the petitioner is that he joined the services of the respondent Corporation in the year 1987 and he retired from his service on 10.12.2020 on voluntary retirement.

3.The grievance of the petitioner is that after his retirement, the difference of service gratuity, difference of leave salary and surrender leave salary are not paid to the petitioner. Hence, the petitioner sought for reply under Right to Information Act, 2005 about the pending amounts payable to him and the respondent Corporation informed that difference of Gratuity of Rs.1,35,400/-, difference of Leave Salary of Rs.78,986/-, differential pension amount of Rs.43,358/- and a total surrender Leave Salary of Rs.54,602/- are payable to the petitioner. Hence, the petitioner sent representation dated 19.09.2024 to the respondents seeking for payment of terminal benefits. 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, learned Standing Counsel for the respondents 1 & 2 and the learned Standing Counsel for



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the 3rd 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 respondents 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 3rd 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



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N.ANAND VENKATESH, J.

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