



WEB COPY



Writ Petition No.31229 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.31229 of 2024

K.Vasanthakumar

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu, Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Thiruvannamalai Region,
Vengikkal, Bye Pass Road,
Thiruvannamalai - 606 604.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar Illam,
No.2, Pallavan Salai, Chennai - 600 002.

... 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 difference in gratuity and leave salary as per 7th Pay Commission recommendation, 11 days unpaid salary with 10% interest



Writ Petition No.31229 of 2024

and interest for the belated payment of commutation of pension amount to the petitioner.

For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel [R1 & R2]
Mr.C.S.K.Sathish,
Standing Counsel [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the difference in gratuity and leave salary as per 7th Pay Commission recommendation, 11 days unpaid salary with 10% interest and interest for the belated payment of commutation of pension amount to the petitioner.

2. Heard Mr.S.T.Varadarajalu, learned counsel for petitioner, Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel appearing for third respondent.

3. The case of the petitioner is that the petitioner joined the service of the first respondent corporation as Junior Assistant in the year



1988. After completing nearly 28 years of service as Superintendent, the petitioner retired from service on 31.10.2016.

4. The grievance of the petitioner is that even though he retired from service as early as on 31.10.2016, the respondent has settled the retirement benefits partly and belatedly without interest for the period of delay. In view of the same, the petitioner submitted a representation to the respondents on 20.06.2024 to disburse the above benefits with interest. 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.



WEB COPY



Writ Petition No.31229 of 2024

N.ANAND VENKATESH, J

gm

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.

25.10.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu, Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Thiruvannamalai Region,
Vengikkal, Bye Pass Road,
Thiruvannamalai - 606 604.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar Illam,
No.2, Pallavan Salai, Chennai - 600 002.

Writ Petition No.31229 of 2024