



W.P.No.33391 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33391 of 2024

1. S. Kesavan

2. A. Subramanian

3. P. Shanmugam

...Petitioners

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 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 along with interest for the delay, based on revised pay structure.



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For Petitioners : Mr.D.Anand Raja

For Respondent : Mr.Murali Vinodh

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioners have filed this writ petition 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 along with interest for the delay, based on revised pay structure.

3. The case of the petitioners are that they are retired employees of the Respondent/Corporation and the respondent did not give their terminal benefits at the time of retirement. Hence, they made several personal request and gave a representation to the respondent on 09.10.2023, 15.11.2023 and 10.05.2024 with regard to the said issue. However, no action has been taken by the respondent till date. Hence this petition has been filed.



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4. The learned counsel for the petitioners submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioners representation and pass orders.

5. The learned standing counsel appearing for the respondent submitted that the representation of the petitioners will be considered and will pay the eligible amount with 6% interest per annum as per the earlier orders of this Court.

6. Considering the facts of the case, this Court on submission made by either side counsel directs the respondent to consider the representation of the petitioners and pass orders on the claim made by the petitioners within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of



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disbursement.

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7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order
smn

To

The Tamil Nadu State Transport Corporation Ltd.,
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V.BHAVANI SUBBAROYAN,J.

Smn

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