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W.P.No.35239 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.35239 of 2024

R. Swaminathan

...Petitioner

Vs

The Management of
Tamil Nadu State Transport Corporation (Kovai) Limited,
Erode Region,
Rep by its Managing Director,
Erode.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to pay the petitioner the difference/arrears of wages for the period from 01.09.2019 to 31.05.2022 and also terminal benefits namely gratuity and encashment of Leave, after revising the same, based on the scale of pay payable to the petitioner from 01.09.2019 as admitted by the Respondent in the RTI Information dated 15.06.2024, together with 18% interest per annum, within a time frame and pass orders.

For Petitioner : Mr.V. Ajoy Khose

For Respondents : Mr.M. Murali Vinodh
Standing Counsel



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ORDER

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

2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the Respondent to pay the petitioner the difference/arrears of wages for the period from 01.09.2019 to 31.05.2022 and also terminal benefits namely gratuity and encashment of Leave, after revising the same, based on the scale of pay payable to the petitioner from 01.09.2019 as admitted by the Respondent in the RTI Information dated 15.06.2024, together with 18% interest per annum, within a time frame and pass orders.

3. The case of the petitioner is that he is an retired employee from the Respondent/Corporation. The grievance of the petitioner is that the respondent has committed an error while arriving at the terminal benefits namely gratuity and encashment of Leave. Therefore, the petitioner gave a representation to the respondent on 15.09.2024 with regard to the said issue. However, no action has been taken by the respondent till date. Hence this petition.



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

5. The learned standing counsel appearing for the respondent submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest P.A 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 petitioner and pass orders on the claim made by the petitioner 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 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 Management of
Tamil Nadu State Transport Corporation (Kovai) Limited,
Erode Region, Erode.



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V.BHAVANI SUBBAROYAN,J.

Smn

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