



WEB COPY



W.P.No.36356 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.36356 of 2024
and W.M.P.No.39230 of 2024

1.R.Selvaraj

2.C.Kanakaraj

3.R.Padmanaban

4.J.Britto Rajan

5.R.Shanmuga Sundaram

...Petitioners

Vs

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

2.The Administrator,
Tamil Nadu Pension Trust,
Pallavan Salai,
Chennai.

...Respondents

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 earned leave as per 13th



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wage revision effected from 01.09.2016 and to pay interest for encashment of Earned leave, difference in Gratuity, along with pending pension dues based on revised pay structure and RBSR Fund with interest to the petitioners.

For Petitioner : Mr.D.Anand Raja

For Respondents : Mr.C.Gauthamaraj for R1
Standing Counsel
Mr.C.S.K.Sathish for R2
Standing Counsel

ORDER

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

2.Mr.C.Gauthamaraj , learned Standing counsel takes notice for the first respondent and Mr.C.S.K.Sathish learned Standing counsel takes notice for the second respondent.

3. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the Respondents herein to pay difference in gratuity and encashment of earned leave as per 13th wage revision effected from 01.09.2016 and to pay interest for encashment of Earned leave, difference in Gratuity, along with pending pension dues based on revised pay structure and RBSR Fund with interest to the petitioners.



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4. The case of the petitioner is that the petitioner worked as Senior Trades Man in the Tamil Nadu State Transport Corporation Ltd., Coimbatore Division I and retired from service on 31.05.2017 on attaining the age of superannuation, but the respondent Corporation did not give retirement benefits at the time of retirement to the petitioner. Thereafter, the petitioner made many personal request and written representation to receive the pending retirement benefits. However, no action has been taken by the respondents till date. Hence this petition.

5. 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.

6. The learned standing counsel appearing for the respondents 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.



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7. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents 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 regard to interest for the belated payment it will be 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.

8. 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

msv



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V.BHAVANI SUBBAROYAN,J.

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