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W.P.No.38372 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.38372 of 2024

V. Deva Anbu

...Petitioner

Vs

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

2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram Ltd.,
Kancheepuram Region, Kancheepuram. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to difference of Gratuity and Earned Leave Salary amount as per new basis 10th wage settlement, Medical Leave for the 98 days and considering the petitioner representation dated 08.05.2023 within the stipulated time as may be fixed by this Court and pass orders.

For Petitioner : Mr.N. Desinghu

For Respondent : Mr. R.Venkatesa Perumal
Standing counsel



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ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the respondents to disburse the payments relating to difference of Gratuity and Earned Leave Salary amount as per new basis 10th wage settlement, Medical Leave for the 98 days and considering the petitioner representation dated 08.05.2023 within the stipulated time as may be fixed by this Court and pass orders.

3. The facts of the case is that the petitioner joined as a Driver in the Respondent/Corporation on 28.10.1978 and retired on 31.09.2007. The further case of the petitioner is that while arriving the terminal benefits the respondent have not implemented the Wages Act properly, due to which there was a monetary loss to the petitioner. Therefore, the petitioner made an application under the Right to Information Act and the respondent also provided the details of amount to be paid to the



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petitioner through information dated 20.02.2021 and 25.09.2023.

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However, the amount was not paid, due to which the petitioner sent a representation on 08.05.2023 to the respondent and the same was not considered. Hence, this petition.

4. The learned counsel for the petitioner submitted that due to the physical inability the petitioner he was unable to continue his job as a driver, hence seeks for light duty. Hence a direction may be issued to the respondents to consider his representation dated 08.05.2023 and pass orders.

5. The learned Standing counsel appearing for the respondents that the petitioner retired on 2007 and he has filed the writ petition in the year 2024 hence he is not entitled for the interest on the ground of laches. Hence prays to dismiss this petition.

6. Heard both sides and perused the materials available on record.

7. Considering the facts and circumstances of the case and the



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limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representation and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

17.12.2024

Index:Yes/No
Speaking order/Non-speaking order
smn

To.

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Villupuram – 605 602.

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V.BHAVANI SUBBAROYAN,J.

smn

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