



W.P.No.37353 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.37353 of 2024

R.Sampath

...Petitioner

Vs

1.The Managing Director
Tamil Nadu State
Transport Corporation (Villupuram) Limited,
3/137, Salamedu,
Villupuram - 605 602.

2.The General Manager
Tamil Nadu State
Transport Corporation (Villupuram) Limited,
Vellore Region,
Rangapuram, Vellore - 632 009.

...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 difference in Gratuity amount to the petitioner by reckoning his date of initial appointment as 11.04.1988 with the interest at the rate of 12% per annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.



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For Petitioner : M/s.J.Lakshmi Narayan

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel

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 Respondents to disburse the difference in Gratuity amount to the petitioner by reckoning his date of initial appointment as 11.04.1988 with the interest at the rate of 12% per annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.

3. The case of the petitioner is that the petitioner was working as Senior Tradesman, Vellore Region and retired from service. While settling Petitioner's gratuity amount, the respondents have taken the date of regularization into consideration instead of date of initial appointment of the petitioner. As a result of which, one year period has been left out



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and the petitioner granted with lesser entitlement of gratuity. Hence, the petitioner submitted a representation dated 03.10.2024 requesting respondents for revision of his gratuity payment reckoning his initial date of appointment. However, no action has been taken by the respondents till date. Hence this petition.

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 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.

6. 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



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copy of this Order. With regard to interest for the belated payment it will be 6% interest per annum interest 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.

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

msv

To

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V.BHAVANI SUBBAROYAN,J.

msv

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