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W.P.No.38161 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.38161 of 2024

A.Raja

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu, Valudhareddy Post,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Regional Office, Rangapuram,
Vellore – 632 009.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the pending amount of difference of Gratuity of Rs.17,257/- and a total surrender Leave Salary of Rs 52,779/- to the petitioner as communicated as reply under Right to Information Act 2005 along with interest at the rate of 6% per annum payable from the date of retirement in the light of judgement passed by this honble High Court on 18.10.2024 in W.P. No 30627 of 2024 within the time that may be stipulated by this Honble Court.



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For Petitioner : Mr.N.Ishak

For Respondents : Mr.R.Venkatesa Perumal,
Standing Counsel

ORDER

When the matter is taken up for consideration, it is brought to the notice of this court by the learned counsel on either side that an identical issue came up for consideration before a co-ordinate bench of this court in W.P.No.30627 of 2024 dated 18.10.2024 and hence, this writ petition can also be disposed of in terms of the said order.

2. The said order passed in W.P.No.30627 of 2024 dated 18.10.2024 reads as under:-

“This writ petition has been filed for the issue of writ of mandamus directing the respondents to pay the pending amount of difference of Gratuity of Rs.1,35,400/-, difference of Leave Salary of Rs.78,986/-, differential pension amount of Rs.43,358/- and a total surrender Leave Salary of Rs.54,602/- to the petitioner as communicated to him under Right to Information Act, 2005 along with interest at the rate of 6% per annum payable from the date of retirement in the light of the judgment passed by this Court dated 11.01.2024 made in W.P.No.568 of 2024 within the time that may be stipulated by



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this Court.

2.The case of the petitioner is that he joined the services of the respondent Corporation in the year 1987 and he retired from his service on 10.12.2020 on voluntary retirement.

3.The grievance of the petitioner is that after his retirement, the difference of service gratuity, difference of leave salary and surrender leave salary are not paid to the petitioner. Hence, the petitioner sought for reply under Right to Information Act, 2005 about the pending amounts payable to him and the respondent Corporation informed that difference of Gratuity of Rs.1,35,400/-, difference of Leave Salary of Rs.78,986/-, differential pension amount of Rs.43,358/- and a total surrender Leave Salary of Rs.54,602/- are payable to the petitioner. Hence, the petitioner sent representation dated 19.09.2024 to the respondents seeking for payment of terminal benefits. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.

4.Heard the learned counsel for the petitioner, learned Standing Counsel for the respondents 1 & 2 and the learned Standing Counsel for the 3rd respondent.

5.Taking into consideration the facts and circumstances of the case and the materials available on record, this writ petition is disposed of with a direction to the respondents to pay the eligible amount with interest at the rate of 6% per



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annum for the delay period in settling the terminal benefits. This payment shall be made within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation.

6.The petitioner is directed to submit a fresh representation to the 3rd respondent along with a copy of this order. No costs.”

3. In the light of the above, this writ petition is disposed of, directing the respondents to pay the eligible amounts with interest at the rate of 6% per annum for the delay period in settling the terminal benefits. This payment shall be made within a period of six weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this court, it will fetch an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation. The petitioner is directed to submit a fresh representation along with a copy of this order. No costs. Connected miscellaneous petitions, if any, shall stand closed.



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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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