



W.P.(MD).No.7178 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7178 of 2024

1. N.Mathiyalagan
2. P.Sekar
3. C.Paul Lourduraj
4. N.Dhanapal
5. M.Dhandapani
6. R.Raju
7. G.Rajasekar
8. S.Duraisamy
9. K.R.Subramanian
10. N.Sivanesan
11. V.Velusamy

... Petitioners

Vs



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1. The Government of Tamil Nadu,
Rep. by its Secretary
Transport Department,
Secretariat, Chennai - 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam, Thanjavur District.
3. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region, Periyamilaguparai,
Trichirapalli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to sanction the eligible Dearness Allowance mentioned in the affidavit and as per Calculation of D.A. List filed in the typed set of papers along with 6 percent interest per annum to the petitioners within the time limit that may be fixed by this Court.

For Petitioners : Mr. N.Sudhagar Nagaraj
For Respondents : Mr.J.John Rajadurai
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to sanction the eligible Dearness Allowance mentioned in the affidavit and as per Calculation of D.A. List filed in the typed set of papers



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along with 6 percent interest per annum to the petitioners within the time limit that may be fixed by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The writ petitioners are working in the respondent Corporation. They reached the age of superannuation and retired from service. They alleges that while computing their terminal benefits, their dearness allowance was erroneously reckoned. According to them, the figures are as follows:-

<i>Name of the petitioner</i>	<i>D.A. percentage ought to have been taken by the respondent Corporation</i>	<i>D.A. percentage taken (at the time of retirement) by the respondent Corporation</i>
1. N.Mathiyalagan	9%	7%
2. P.Sekar	12%	9%
3. C.Paul Lourduraj	12%	9%
4. N.Dhanapal	12%	9%
5. M.Dhandapani	12%	9%
6. R.Raju	17%	12%
7. G.Rajasekar	21%	17%
8. S.Duraisamy	34%	31%
9. K.R.Subramanian	34%	31%
10. N.Sivanesan	34%	31%
11. V.Velusamy	34%	31%



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4. I consciously refrain from going into the question as to whether the aforesaid table is factually correct. It is however beyond dispute that the dearness allowance as mentioned in their respective computation was on the lower side. Therefore, the respondents are directed to rework the petitioners' terminal benefits by taking their dearness allowance at the appropriate rate. The differential amount shall be paid to the writ petitioners within a period of twelve (12) weeks from the date of receipt of a copy of this order. This payment will carry interest at the rate of 6% per annum.

5. This Writ Petition stands disposed of on these terms. There shall be no order as to costs.

25.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PNM



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The Government of Tamil Nadu,
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2. The Managing Director,
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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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25.03.2024