



W.P.(MD)No.17583 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.17583 of 2024

V.Palaniyandi

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(TVL) Ltd., 23/2, Thoothukudi Road,
Kattabomman Nagar,
Tirunelveli District-627 007.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(TVL) Ltd.,
Tirunelveli Region,
Tirunelveli District-627 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to disburse the petitioners difference amount of Earned Leave Salary along with 6% interest on the basis of VII Pay Commission.

For Petitioner : Mr.K.Gokul
For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

Heard Mr.Mr.K.Gokul, learned counsel appearing for the petitioner
and Mr.K.Ramaiah, learned Standing Counsel appearing for respondents.



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2.The petitioner has filed this writ petition seeking to disburse the petitioners difference amount of Earned Leave Salary along with 6% interest on the basis of VII Pay Commission.

3.The petitioner was employed as an Assistant Engineer in the respondent Corporation and retired from service on attaining the age of superannuation on 31.03.2018. When he was in service, VII Pay Commission came into effect on 01.01.2016. However, the same was implemented on 01.04.2018 after the retirement of the petitioner. The petitioner's pension and commutation were disbursed on the basis of VI Pay Commission and the same is still continuing. However, the gratuity, Earned Leave and surrender leave salary has to be revised on the basis of VII Pay Commission. If that is done, the petitioner will get the difference amount, which he is receiving as on date. The respondents have already revised the pension and recovered the amount from pension for commutation with retrospective effect from the date of retirement and the recovery was effected on 05.10.2019 and the revised commutation was issued on 30.01.2021.

4.The petitioner made several representations to the respondents in person. However, the same were not considered. Hence, this writ petition came to filed.



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5.Considering the facts and circumstances of this case, this writ petition is disposed of and the respondents are directed to disburse the petitioner's difference in amount of Earned Leave and all other terminal benefits on the basis of VII Pay Commission along with 6% interest. No costs.

30.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

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R.N.MANJULA, J.

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