



WP(MD) No.17026 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.17026 of 2024

K.Ravichandran

... Petitioner

Vs.

The Managing Director

Tamil Nadu State Transport Corporation (Thirunelveli) Ltd.,

23/2 Kattaboman Nagar,

Thirunelveli – 627 011.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay the difference amount of petitioner's retirement benefits such as Gratuity and Leave Salary based on the 7th pay commission and Government letter dated 25.05.2023 with 6% interest per annum within a stipulated period.



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For Petitioner : M/s.D.Ramya

For Respondent : Mr. K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the respondent to pay the difference amount of petitioner's retirement benefits such as Gratuity and Leave Salary based on the 7th pay commission and Government letter dated 25.05.2023 with 6% interest per annum within a stipulated period.

2. Heard M/s.D.Ramya, learned counsel for the petitioner and Mr.K.Ramaiah, learned Standing Counsel appearing for the respondent.

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

4. The petitioner was appointed in the respondent



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Corporation as a Trainee on 16.06.1987. He retired from service as a “Assistant Engineer” on 30.11.2016 on voluntary retirement. 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 VII 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 difference amount than which he is receiving as on date.

5. The petitioner had sent a representation on 04.07.2024 to the respondents. However the same was not considered by the respondents. Hence, the petitioner has filed this writ petition.

6. 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 gratuity, Earned Leave and surrender leave salary, on the basis of VII Pay Commission along



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with interest at the rate of 6% per annum from the date of retirement till the date of disbursement within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

26.07.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM

To

1.The Managing Director
Tamil Nadu State Transport Corporation (Thirunelveli) Ltd.,
23/2 Kattaboman Nagar,
Thirunelveli – 627 011.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.17026 of 2024

Dated:
26.07.2024