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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.25682 of 2024

R.Sumathi

... Petitioner

Vs

The Management of
Tamil Nadu State Transport Corporation(Madurai) Limited,
Dindigul Region,
Rep. by its General Manager,
Dindigul.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to revise/re-fix the scale of pay of the husband of the petitioner/the diseased employee (Late) V.Ramasamy, Staff No.DR51987, w.e.f.01.09.2019 to till the month of his death, based on the wage settlement dated 24.08.2022 and consequently to pay the difference/arrears of his terminal benefits namely Gratuity and Encashment of Leave, after revising the same based on such re-fixed scale of pay payable to him on the month of his death, together with 18% interest per annum within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.S.Raja
Standing Counsel



ORDER

The instant writ petition has been filed by a wife of the deceased employee of the respondent transport corporation, seeking a mandamus as against the respondent authorities for disbursement of difference in the terminal benefits in the gratuity, encashment of leave, pension along with interest at the rate of 18% per annum.

2. According to the learned counsel appearing for the petitioner, though the petitioner's husband had passed away on 15.07.2021 while he was in service, before 24.08.2022 as per the wage settlement, the benefits will be conferred upon all those employees who were on service on 01.09.2019. However, the said benefits have not been conferred upon the writ petitioner. The petitioner has also sent a representation to the respondent herein on 16.08.2024 for conferment of the said benefits. Since the representation has not been considered, the present writ petition has been filed.

3. Considering the above said facts, the respondents are directed to confer the eligible benefits upon the writ petitioner along with 6% interest from the due date till the date of payment within a period of twelve weeks from the date of receipt of a copy of this order.



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4. With the above said observations, this writ petition stands disposed of.

No costs.

25.10.2024

16/17

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

The General Manager,
The Management of
Tamil Nadu State Transport Corporation(Madurai) Limited,
Dindigul Region,
Dindigul.



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R.VIJAYAKUMAR, J.

RJR

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16/17