



W.P.(MD)No.27309 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.11.2024

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.27309 of 2024

K.P.Kodhar Hussain

... Petitioner

Vs.

1.TamilNadu State Transport Corporation (Thirunelveli) Limited,
Represented by its Managing Director,
Tirunelveli.

2. The General Manager,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to settle the petitioner's difference in Gratuity of Rs.63,294/- together with interest from the date of his retirement i.e., from 31.07.2017 to till the date on which the said benefits were settled to him.

For Petitioner

: M/s.A.Rahul

For Respondents

: Mr.D.Jebaraj
Standing Counsel



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ORDER

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The instant writ petition has been filed by a retired employee of the respondent Transport Corporation, seeking a mandamus directing the respondents to pay the difference amount in Gratuity of Rs.63,294/- together with interest, based upon the settlement u/s.12(3) of the I.D. Act on 04.01.2018 from the date of his retirement i.e., from 31.07.2017.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner was joined in service on 05.11.1987 and retired only on 31.07.2017. The settlement u/s.12(3) of the I.D. Act was arrived on 04.01.2018, whereby his pay was retrospectively revised with effect from 01.09.2016. According to the petitioner, in terms of the said settlement the respondents are liable to pay the difference in Gratuity of Rs.63,294/- along with interest. Hence, he sent a representation on 14.09.2024, seeking interest for the belated payment. Since, there is no response from the respondents authorities, the present writ petition has been filed.



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

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

No costs.

15.11.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

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To

1. TamilNadu State Transport Corporation (Thirunelveli) Limited,
Represented by its Managing Director,
Tirunelveli.

2. The General Manager,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli.



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R.VIJAYAKUMAR, J.

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