



W.P.(MD).No.29086 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29086 of 2024

K.Periyasamy,

Vs

... Petitioner

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) Limited,
Kumbakonam,
Thanjavur District.
3. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
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 re-calculate the petitioner's retirement benefits such as Gratuity and Earned



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Leave and sanction the balance amount of Gratuity and Earned Leave Salary at the rate of 7% Dearness Allowance along with 6% interest per annum to the petitioner within the time limit that may be fixed by this Hon'ble Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For R1 : Mr. A.Baskaran,
Additional Government Pleader

For R2 and R3 : Mr. K.Jagadeesbalan
Standing Counsel

ORDER

Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for the respondents 2 and 3.

2. The petitioner herein is a retired employee of the respondent Transport Corporation seeking to re-calculate the terminal benefits. At the time of retirement, the terminal benefits were computed by taking into consideration the dearness allowance as 5% instead of 7 %.

3. There is no dispute that an error in computation had taken place.



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4. In view of the above said facts, the respondents are directed to re-calculate the petitioner's terminal benefits by taking his dearness allowance as 7 %. The differential amount shall be paid to the writ petitioner along with interest at the rate of 6% per annum, from the due date till the date of disbursement, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

04.12.2024

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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- To
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