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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

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THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.2891 of 2025

M.Chandra

.. Petitioner

Vs.

Metropolitan Transport Corporation,
Rep. by its Managing Director,
No.1, Pallavan Salai,
Chennai – 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to settle the difference in Medical Leave Salary with 6% interest in line with G.O.Ms.No.220, Transport (C1) Department dated 06.08.1999 and in the light of the orders passed by this Court in W.P.(MD) No.14520 of 2020 dated 21.03.2023 and in W.P.Nos.29602, 29604, 29606 & 29609 of 2023 dated 13.10.2023 and in W.P.No.25068 of 2024 dated 02.09.2024 and settle the difference in payment of Gratuity due to enhanced Dearness Allowance of 119% to the petitioner herein by considering the representation of the petitioner dated 06.01.2025.



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For Petitioner .. Mr.D.Soundar Raj

For Respondents .. Mr.R.Balaji, Standing Counsel

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondent to settle the difference in medical leave salary together with interest. The petitioner placed reliance on an earlier order passed by a learned Single Judge of this Court. The petitioner claims that there is a difference in the payment of gratuity and leave salary due to enhancement of Dearness Allowance and in that regard, the petitioner had given a representation dated 06.01.2025.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had joined services of the respondent on 25.06.1981 and after subsequent promotions, the petitioner had finally retired from service on attaining the age of superannuation on 31.07.2015 as Superintendent. It is further contended that owing to restructuring of the pay scale, the petitioner is entitled to receive the difference in the gratuity amount and also the medical leave salary. In this connection, the petitioner had given the representation on 06.01.2025.



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3.The learned counsel for the respondent is also present.

4.A direction is given to the respondent to examine the said representation dated 06.01.2025 given by the petitioner and examine the past service records of the petitioner and if the petitioner is entitled for the same, pass necessary orders within a period of six weeks from the date of receipt of a copy of this order.

5.The learned counsel also insisted that the difference amount should be paid with interest at 6% per annum. If there is a delay beyond six weeks then the interest clause would come into force. If the respondent pay the amount within six weeks then, the respondent is not liable to pay any interest. If the amount is disbursed after six weeks then, the respondent is liable to pay the difference amount together with interest at 6% per annum.

6.With the above observations, this Writ Petition stands disposed of.

No costs.

10.02.2025

Index:Yes/No
Internet:Yes/No
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C.V.KARTHIKEYAN,J.

smv

To

The Managing Director,
Metropolitan Transport Corporation,
No.1, Pallavan Salai,
Chennai – 600 002.

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10.02.2025