



W.P.No.3293 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.3293 of 2025

M.Kannan

.. Petitioner

Versus

The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited
No.12, Ramakrishna Road,
Salem-7.

...Respondent

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to include one year training period for calculating gratuity and pay the difference in Gratuity amount with 10% interest.

For Petitioner : Mr.N.Desinghu
For Respondent : Mr.K.Raja
Standing Counsel

ORDER

This Writ Petition is filed by the petitioner for a writ of mandamus to direct the respondent to include one year training apprenticeship



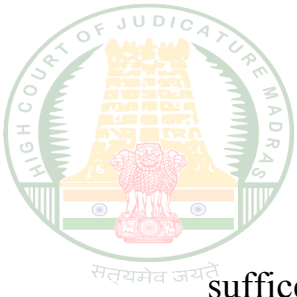
W.P.No.3293 of 2025

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period for calculating gratuity amount and pay the difference in gratuity amount along with 10% interest to the petitioner.

2. The case of the petitioner is that the petitioner had initially joined in the service of the respondent Corporation on 28.01.1985 as 'Trainees/Company Apprentice'. On completion of one year training, he was brought into regular appointment in time scale of pay. After rendering nearly 28 years of continuous service, the petitioner retired as 'Senior Assistant' on 30.06.2015. After retirement, while computing the gratuity amount, one year training period was not included by the respondent, whereas, in the other transport corporation one year training period is included for computing the gratuity amount. Hence, the petitioner is entitled to get difference of gratuity amount. In this regard, the petitioner gave a representation to the respondent on 15.11.2024. However, no action has been taken by the respondent till date. Hence this petition.

3.The learned counsel for the petitioner submitted that it would be



W.P.No.3293 of 2025

WEB COPY

suffice if this Court issues a direction to the respondent to consider the petitioner's representation and pass orders.

4.Mr.K.Raja, learned Standing Counsel takes notice on behalf of the respondent submits that normally the persons are eligible to calculate the said period. As far as the case of the petitioner also the respondent/corporation will consider as per rules and if he is eligible will release the amount payable.

5.Both the learned counsel submit that 6% interest has been ordered in all the connected matters.

6.In view thereof, this Writ Petition is disposed of with the following terms:-

(1) The respondent is directed to include one year training apprenticeship period and calculate the gratuity amount, to which he may be entitled to as per the Rules within a period of twelve (12) weeks from the date of receipt of a copy of this order with interest at the rate of 6% per annum from the date on which the amounts became due till the date of disbursement;



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W.P.No.3293 of 2025

V.BHAVANI SUBBAROYAN, J.

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(2) If the amount is not paid within a period of twelve (12) weeks, thereafter, the same shall carry the interest at the rate of 12% per annum from the date on which the amounts became due, till the date of disbursement. No costs.

31.01.2025

1/3

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No

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To

The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited
No.12, Ramakrishna Road,
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W.P.No.3293 of 2025