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W.P.NO.26993 OF 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.NO.26993 OF 2024

D.Soundar Raj

... Petitioner

VS.

M/s.State Express Transport Corporation Ltd.,
Rep. By its Managing Director
No.2, Pallavan Salai,
Chennai – 600 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the respondent herein to settle a sum of Rs.1,44,660/- towards settlement of Gratuity for the entire 33 years of service of the petitioner herein with 6% interest by considering the representation of the petitioner dated 31.07.2023 and 23.08.2024.

For Petitioner	:	Mr.G.Balu
For Respondent	:	Mr.L.S.M.Hasan Fizal Additional Government Pleader

ORDER



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This Writ Petition has been filed in the nature of a Mandamus, seeking a direction against the respondent to settle a sum of Rs.1,44,660/- towards settlement of Gratuity for the entire 33 years of service of the petitioner herein with 6% interest by considering the representations of the petitioner dated 31.07.2023 and 23.08.2024.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had joined the respondent Transport Corporation on 21.03.1981 as Junior Assistant and retired from service upon attaining the age of superannuation on 30.04.2014. In the meantime, the petitioner resigned his post as Junior Assistant on 10.05.1988 and joined the next day viz., 11.05.1988 as Assistant Labour Welfare Office in the same respondent Corporation. However, his service from 21.03.1981 to 10.05.1988 was not taken into account for calculation of pension and Gratuity and the period from 11.05.1988 to 30.04.2014 alone was taken into account and retirement benefits were settled except Gratuity. It has further been contended that settlement of Gratuity for the entire 33 years of service was not paid. It has also been stated that the



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petitioner sent representations dated 31.07.2023 and 23.08.2024 seeking to settle the same with 6% interest. The present Writ Petition has been filed seeking payment of this amount, along with interest.

3.Heard Mr.G.Balu, learned counsel for the petitioner and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader for the respondent.

4.Taking into consideration the facts and circumstances of the case, a direction is given to the respondent to determine the eligible benefits payable to the petitioner and after determining that particular amount, pay the same together with interest at the rate of 6% per annum from the date on which the petitioner had retired from service till the date of actual disbursement of the amount. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above directions, this Writ Petition stands disposed of. No costs.

02.04.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order : Yes / No
TK

To

The Managing Director
M/s.State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai – 600 002.



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C.V.KARTHIKEYAN, J.

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