



W.P.No.31624 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

W.P.No.31624 of 2025

R.Ramasamy

...Petitioner

Vs.

The Managing Director
Tamil Nadu State Transport Corporation (Salem) Limited
No.12, Ramakrishna Salai,
Salem - 636 007.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the differential gratuity, differential leave surrender, D.A arrear and last 10 days salary as per the 12(3) settlement along with interest at the rate of 18% within the stipulated time.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.K.Raja,
Standing Counsel

ORDER

The writ petition is filed for the relief set out below:



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"directing the respondents to pay the differential gratuity, differential leave surrender, D.A arrear and last 10 days salary as per the 12(3) settlement along with interest at the rate of 18% within the stipulated time."

2. The brief facts which has culminated in the filing of this writ petition are set out below:

2.1. It is the case of the petitioner that he joined as Conductor in the Respondent Corporation and retired from service on 30.06.2022. At the time of retirement, he was working as "Selection Grade Senior Conductor" in the Respondent Corporation. It is the contention of the petitioner that as per the Section 12(3) settlement, he is entitled to receive the revised difference of Gratuity amount, pension arrears and leave salary.

2.2. He further submits that retirement benefits like earned leave surrender for 75 days and salary for last 10 days of service had not been paid. He was also not paid the difference of amount due to basic pay revision as per the 2019 wage agreement for 240 days of surrendered earned leave, Dearness allowance, difference of Gratuity amount and the amount for 144.5 days of earned leave surrender in excess of 240 days.

3. The petitioner had made a representation to the respondent to pay him



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the difference of gratuity amount, earned leave surrender and last 10 days of salary as per 12(3) settlement. However, the same had not been considered to date by the respondent. Hence, the petitioner is before this Court.

4. Heard the learned Counsels on either side and perused the records.

5. Considering the limited request of the petitioner and taking note of the fact that the petitioner's representation dated 19.04.2025 has not been considered to date by the Respondents, a mandamus, is therefore, issued to the respondent to pay the differential gratuity, differential leave surrender, D.A arrear and last 10 days salary as per the 12(3) settlement along with interest at the rate of 6% instead of 18% per annum as claimed for, within a period of one month from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is allowed. There shall be no order as to costs.

22.08.2025

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Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No



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P.T.ASHA J.

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To

1.
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