



WEB COPY



W.P.No.49629 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.49629 of 2025

R.Poomalai

... Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd,
No.3/137, Salamedu,
Villupuram-605 403.

.. Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying issuance of a Writ of Mandamus directing the respondent to pay difference in Gratuity and Leave Salary based on increased D.A., as per G.O (Ms) 142 dated 17.05.2023 with 10% interest to the petitioner.

For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Ms.S.Pavithra,

Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondent to pay difference in terminal benefits such as gratuity, leave salary on the increased Dearness Allowance with interest at the rate of 12%.



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2. Ms.S.Pavithra, learned Standing Counsel takes notice on behalf of respondent.

3. Brief fact that are necessary for disposal of Writ Petition are as follows:-

The petitioner, who was working as driver in the respondent corporation had retired from service on 30.04.2023 upon attaining superannuation. At the time of retirement, his last drawn salary was calculated based on the basic pay and Dearness allowance at 38% .Even prior to his retirement, dearness allowance was enhanced to 42% with retrospective effect from 01.01.2023 vide G.O.Ms.142 dated 17.05.2023. Despite the same, the petitioner's retirement benefits such as Gratuity and leave salary were calculated based on the earlier rate of Dearness allowance. Hence, the petitioner submitted a representation to the respondent on 05.05.2025 seeking disbursement of the differential amount in gratuity and leave salary along with the interest at the rate of 12%. However, no action has been taken on the same till date. Hence, the present Writ Petition.

4. Learned counsel appearing for the petitioner submits that it would suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 05.05.2025 and pass orders on the same on merits within the time that may be stipulated by this Court.



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5. On the above contention, this Court heard the learned Stppearing for the respondents.

6. In view of the limited relief sought for by the petitioner, this Court without expressing any opinion on the merits of the case, directs the respondent to consider the petitioner's representation dated 05.05.2025 and pass appropriate orders on the same on merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order after affording an opportunity of personal hearing to the petitioner and to any other interested parties.

7. The Writ Petition stands disposed of with the aforesaid direction. There shall be no order as to costs.

19.12.2025

Index: Yes/No
Speaking/Non-Speaking Order
Neutral Citation: Yes/No

Nhs

To

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd,
No.3/137, Salamedu,
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