



W.P.No.50679 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.50679 of 2025

V.Mayilsamy

...Petitioner

Vs.

Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Rep. By its Managing Director,
12, Ramakrishna Road,
Salem – 636 007.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the petitioner a sum of Rs.67,747/- towards the difference in Gratuity and a sum of Rs.8,080/- towards difference in earned leave salary, with interest at the rate of 12% per annum.

For Petitioner : M/s.G.K.Dharshini

For respondent : Mr.K.Raja

ORDER

Aggrieved by the non-payment of difference in Gratuity and earned



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leave salary, the petitioner has come up with this Writ petition seeking interest at the rate of 12% per annum, for the said delay caused on the part of the respondent.

2. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner was retired from the respondent corporation as Selection Grade Conductor on 31.05.2017 and terminal benefits were paid to him based on his last drawn wage. Subsequently, the respondent corporation entered into a settlement under Section 12(3) of the Industrial Disputes Act, which contains about terminal benefits with effect from 01.09.2019. Therefore, claiming difference in gratuity and earned leave salary, the petitioner has sent a representation to the respondent on 29.05.2025. However, the same was not considered, as on date. Hence, the petitioner has come forward with the present writ petition.

4. Though many grounds have been raised in this writ petition, learned



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counsel for the petitioner submitted that it would suffice, if this Court issues direction to the respondent to pay the petitioner a sum of Rs.67,747/- towards the difference in Gratuity and a sum of Rs.8,080/- towards difference in earned leave salary, with interest at the rate of 12% per annum.

5. Learned counsel appearing for the respondent would submit that the petitioner's claim in regard to difference in gratuity and earned leave salary will be considered by the respondent with applicable interest, within a time frame to be fixed by this Court.

6. Heard the learned counsel on either side and perused the materials available on record.

7. Considering the relief sought by the learned counsel for the petitioner, this Court deems it appropriate to direct the respondent to consider the petitioner's representation dated 29.05.2025 and pass appropriate orders on merits within a period of eight (8) weeks from the date of receipt of a copy of this order, with regard to payment of difference in Gratuity and earned leave salary, as per 12(3) settlement dated 04.01.2018,



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to which he is eligible, along with interest at the rate of 6% per annum.

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With the aforesaid direction, this writ petition stands disposed of. No costs.

05.01.2026

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Index : Yes/No

Speaking order : Yes/No

NCC : Yes/No

To:

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
12, Ramakrishna Road,
Salem – 636 007.



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M.DHANDAPANI, J.

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