



WEB COPY

WP No. 3440 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 3440 of 2026 AND WP NO. 3444 OF 2026, WP NO. 3441 OF
2026, WP NO. 3443 OF 2026, WP NO. 3445 OF 2026**

WP No. 3440 of 2026

A. Velusamy
S/o Arumugam, 4/62,
Akilandapuram Post Pollachi Taluk,
Coimbatore District

..Petitioner(s)

Vs

The Management of Tamil Nadu State transport
Corporation (Kovai) Ltd
Rep by its Managing Director,
Coimbatore

..Respondent(s)

WP No. 3444 of 2026

S.Chandrasekaran
S/o Balakrishnan, 20/431 Cheran Nagar,
Thanthoni, Thukai Post,
Madthukulam Taluk Tiruppur District

..Petitioner(s)

Vs

The Management of Tamil Nadu State transport
Corporation (Kovai) Ltd
Rep by its Managing Director,
Coimbatore

..Respondent(s)

WP No. 3441 of 2026

K.Ravi
S/o Kumarasamy 3/67, Putharanjal,
Vadamalaipalayam post,
Palladam Taluk, Thiruppur District

..Petitioner(s)



Vs

The Management of Tamil Nadu State transport
Corporation (Kovai) Ltd Rep by its Managing
Director, Coimbatore

..Respondent(s)

WP No. 3443 of 2026

N. Palanisamy
S/o Nataraj, 28, Rajaganapathy Nagar,
Suleswaranpatti Post, Pollachi Taluk,
Coimbatore District

..Petitioner(s)

Vs

The Management of Tamil Nadu State transport
Corporation (Kovai) Ltd Rep by its Managing
Director, Coimbatore

..Respondent(s)

WP No. 3445 of 2026

P. Kannimuthu
S/o Palanisamy, 171,
Manappattupotta, Anjumoorthi Post,
Alathur Taluk, Kerala

..Petitioner(s)

Vs

The Management of Tamil Nadu State transport
Corporation (Kovai) Ltd
Rep by its Managing Director,
Coimbatore

..Respondent(s)

WP No. 3440 of 2026

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the difference /arrears of Terminal benefits namely Gratuity and Encasement of Leave, after revising the same based on the scale of pay payable to him from 01.06.2023 as admitted by the Respondent in the RTI information dated 06.12.2025, together with 18 % interest per annum, within a time frame as may be fixed by this Court.

**WP No. 3444 of 2026**

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Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the difference /arrears of Terminal benefits namely Gratuity and Encasement of Leave, after revising the same based on the scale of pay payable to him from 01.09.23 as admitted by the Respondent in the RTI information dated 06.12.2025 together with 18 % interest per annum, within a time frame as may be fixed by this Court.

WP No. 3441 of 2026

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the difference /arrears of Terminal benefits namely Gratuity and Encasement of Leave, after revising the same based on the scale of pay payable to him from 01.09.2023 as admitted by the Respondent in the RTI information dated 16.12.2025 together with 18 % interest per annum, within a time frame as may be fixed by this Court.

WP No. 3443 of 2026

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the difference /arrears of Terminal benefits namely Gratuity and Encasement of Leave, after revising the same based on the scale of pay payable to him from 01.09.2023 as admitted by the Respondent in the RTI information dated 27.11.2025 together with 18 % interest per annum, within a time frame as may be fixed by this Court.



WP No. 3445 of 2026

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the difference /arrears of Terminal benefits namely Gratuity and Encasement of Leave, after revising the same based on the scale of pay payable to him from 01.09.2023 as admitted by the Respondent in the RTI information dated 24.11.2025 together with 18 % interest per annum, within a time frame as may be fixed by this Court.

In all Wps

For Petitioner(s): Mr.S.Arunachalam

For Respondent(s): Mr.C.Gawthamaraj

COMMON ORDER

These Writ petitions have been filed seeking a direction to the respondent to settle the difference /arrears of Terminal benefits namely Gratuity and Encasement of Leave, after revising the same based on the scale of pay payable to him with effect from 01.09.2023, together with interest at the rate of 18 % per annum.

2. Mr.C.Gawthamaraj, learned counsel, takes notice on behalf of the respondent. In view of the consent expressed by the learned counsel on either side, these Writ Petitions are taken up for final disposal at the stage of



admission itself.

3. When the matters are taken up for hearing, the learned counsel for the petitioners brought to the notice of this Court the order dated 21.12.2022 passed in W.P(MD).No.27525 of 2022 etc. batch, wherein this Court has held that the persons who were working in the Transport Corporation as on 01.09.2016 as permanent employee, are entitled to revision of pay scale, which includes Gratuity and encashment of leave and the respondents therein were directed to revise the pay as per the Settlement under Section 12(3) of the Industrial Disputes Act, 1947. Accordingly, he prayed for grant of similar relief to the petitioners herein, as well.

4. Learned counsel appearing for the respondent did not dispute the above submission made by the learned counsel for the petitioners.

5. For better appreciation, the relevant portion of the order dated 21.12.2022 passed in W.P(MD).No.27525 of 2022 etc. batch in a similar circumstances is extracted hereunder :-

“Since the issue raised in these writ petitions is one and the same, these writ petitions are disposed of by way of this common order.



2. *The petitioners in all these writ petitions were appointed either as a Driver or Conductor in the respondent Corporation and after completion of more than 30 years of service, they were upgraded to different posts in higher cadre. All the petitioners retired from service before the settlement under Section 12(3) of the Industrial Disputes Act, 1947, dated 04.01.2018, giving retrospective effect from 01.09.2016.*

Therefore, the petitioners are entitled to the pay revision with effect from 01.09.2016. However, the benefit of the settlement, dated 04.01.2018, is not extended to the petitioner.

3. *Hence, the petitioners in W.P. (MD) No.27525, 27179, 27049 and 27178 of 2022, made a representation to the respondent and the same was not considered and hence, they filed writ petitions, wherein this Court directed the respondent to consider the petitioners' representation and pass orders on merits and in accordance with law after giving opportunity to the petitioners. Pursuant to which, the respondent passed an order rejecting the request of the petitioners. Challenging the same, the petitioners have filed these writ petitions.*

4. *The other writ petitions have been filed for revising the terminal benefits in respect of Gratuity, Encashment of leave, in terms of the settlement under Section 12(3) of the Industrial Disputes Act, 1947.*



5. Heard the learned counsel appearing for the petitioners and the learned standing counsel appearing for the respondent corporation.

6. In order to resolve the dispute, in the settlement under Section 12(3) of the Industrial Disputes Act, 1947, dated 04.01.2018, it is stated as follows:

“ஒப்பந்த சரத்துக்கள் (Terms of Settlement)

1) அடிப்படை ஊதிய நிர்ணயம்

தமிழ்நாடு அரசு போக்குவரத்துக் கழகங்களில் 01.09.2016 அன்று பணிபுரியும் நிரந்தர தொழிலாளர்களுக்கு (Permanent Employees as on 31.08.2016) கீழ்க்கண்டவாறு அடிப்படை ஊதியம் 01.09.2016 முதல் நிர்ணயம் செய்யப்படும்.

அ) 31.08.2016 அன்று அவர்கள் பெற்று வந்த அடிப்படை ஊதியம் (Basic Pay) மற்றும் தரஊதியத்தின் (Grade Pay) கூட்டுத் தொகையினை கணக்கிட்டு இதனை 2.44 என்ற காரணியால் பெருக்கி வரும் தொகை அடிப்படை ஊதியமாக 01.09.2016 முதல் நிர்ணயம் செய்யப்படும் (Rounded Off to Rs.100/-) இதன்படி 01.09.2016 அன்று பெற்று வந்த 132% அகவிலைப்படி தொகையில் 125% அகவிலைப்படி அடிப்படை ஊதியத்துடன் இணைக்கப்பட்டுள்ளது. 01.09.2018 முதல் தரஊதியம் அடிப்படை சம்பளத்தில் இணைக்கப்பட்டதால் தனியாக வழங்கப்படமாட்டாது. புதிய சம்பள அடிப்படையிலான Pay Scale விபரம் இணைப்பு 1-ல்



தரப்பட்டிருக்கிறது.”

7. Perusal of the above said settlement makes it clear that the as on 01.09.2016 persons who are working in the Transport Corporation as permanent employee, are entitled to revision of pay scale and the revision of pay scale includes Gratuity and encashment of leave. However, while calculating the same based on the pay revision, they were settled only with the pension and other benefits except gratuity and encashment of leave. The rejection of the petitioners' request was on the ground that the petitioners are not in service as on the date of settlement, which is not sustainable one, as in the settlement, it is made clear that the persons who are working in the Transport Corporation as on 01.09.2016 as permanent employees, are entitled to revision of pay scale.

8. In the result, W.P.(MD)No.27525, 27179, 27049 and 27178 of 2022 are allowed and the impugned orders are set aside. No Costs. Consequently, connected miscellaneous petitions are closed.

9. There shall be a direction to implement the revised pay as per the settlement under Section 12(3) of the Industrial Disputes Act, 1947, to the petitioners with interest. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



10. *W.P(MD)Nos.17698, 17699, 17711, 17710, 17708, 17706, 26708, 26709, 27738, 24913, 26714, 26711, 26710, 17703, 17701, 18654, 17709, 17865, 17707, 18500, 18504, 18508, 18509, 18538, 18539, 18496, 18549, 18541, 17700, 17702, 17862, 17879, 18655, 18659, 18658, 18660, 18661, 17696, 17695, 17694, 27043, 17693, 25120, 24848, 24852, 24887, 24914, 24915, 25017, 25233, 25655, 17704, 17705, 24837 and 25000 of 2022, are disposed of with the above direction. No Costs."*

6. The aforesaid decision is squarely applicable to the facts of the present cases. Accordingly, applying the ratio laid down in the above case, these Writ petitions stand disposed of with a direction to the respondent to implement the revised pay as per the settlement under Section 12(3) of the Industrial Disputes Act, 1947, to the petitioners with interest. Such exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

03-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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M.DHANDAPANI J.

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To
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