



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) Nos. 2269 & 2270 of 2018

R.Selvaraj .. Petitioner in W.P.(MD).No.2269 of 2018

S.Renganathan .. Petitioner in W.P.(MD).No.2270 of 2018

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department, Secretariat,
Chennai - 600 009.

2. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Railway Station Road,
Kumbakonam,
Thanjavur District.

3. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Periyamilagupari,
Trichy.

4. The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

... Respondents in
both Writ Petitions

Prayer in WP(MD)No. 2269 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the respondents to revise the petitioner's pay for the period from 1.9.2013 to 31.3.2014 based on the terms of settlement dated 13.4.2015 entered under Section 12 (3) of Industrial Disputes Act, 1947 and further directing the



respondents to pay the petitioner the difference amount in the petitioner's salary for the period from 1.9.2013 to 31.3.2014 and to pay difference in the petitioner's retirement benefits including monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to the petitioner together with a reasonable rate of interest per annum based on the said settlement.

PRAYER IN WP(MD)2270 OF 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to revise the petitioner's pay for the period from 01.09.2013 to 23.09.2014 based on the terms of settlement dated 13.4.2015 entered under Section 12(3) of Industrial Disputes Act, 1947 and further directing the respondents to pay the petitioner the difference amount in the petitioner's salary for the period from 01.09.2013 to 23.09.2014 and to pay difference in the petitioner's retirement benefits including monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to the petitioner together with a reasonable rate of interest per annum based on the said settlement.

For Petitioners	: Mr. N.Sudhagar Nagaraj
For Respondent No.1	: Mrs.S.Srimathy
	Special Government Pleader
For Respondent Nos.2 to 4	: Mr. D.Sivaraman
	(in both the writ petitions)

COMMON ORDER

Heard the learned counsel on either side.

2. By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

3. The petitioners are retired employees of the respondent Transport Corporation. The petitioners case is that after they retired from service, wage settlement was entered into between the Management and the employees. The said settlement came into force on retrospective basis. It is not in dispute that the petitioners are entitled to the benefits of the wage settlement. Since the difference amount was not paid, this writ petition came to be filed.

4. Today, when the matter was taken up for disposal, the learned Standing Counsel appearing for the respondents 2 to 4 <https://hccorps.court.gov.in/services/> the wage arrears had since been disbursed, steps are being taken to disburse other benefits also.



5. The respondents are directed to disburse the other benefits arisen on difference in amount payable to the petitioners, within a period of two months.

6. These Writ Petitions are allowed accordingly. No costs.

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Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

The Secretary to Government,
Government of Tamil Nadu,
Transport Department,
Secretariat, Chennai - 600 009.

+2cc to Mr. N.Sudhagar Nagaraj, Advocate Sr.No.51144,51145
+2cc to Mr. D.Sivaraman, Advocate Sr.No.51823,51824

KMI

VB/RSK/SAR1/11.07.2018/3P/6C

ORDERS MADE IN
W.P. (MD) Nos. 2269 & 2270 of 2018
26.02.2018