



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.23943 of 2019

N.Vittalraj

... Petitioner

Vs

The Managing Director,
T.N.S.T.C.Limited,
Kumbakonam-612 001.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to pay the arrears of wages of Rs.13,35,466.90 which amount is the 70% of the total arrears of wages of Rs.30,92,087.10 after deducting the part payment paid Rs.8,26,894/- as per the statement of account given in the typed set along with interest and future benefits.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman
Standing Counsel

O R D E R

The relief sought for in the present Writ petition is to direct the respondent to pay the arrears of wages of Rs.13,35,466.90/- which is 70% of the total arrears of wages of Rs.30,92,087.10/- after deducting the part payment paid Rs.8,26,894/- as per the statement of account given in the typed set along with interest and future benefits.

2. The learned Standing Counsel appearing for the respondent made a submission that the respondent filed a counter affidavit by stating that all benefits due to the petitioner have already been settled. In this regard, paragraph Nos.7, 8 and 9 are extracted hereunder:-

7. It is submitted that as per the settlement the employee was reinstated into service and the 70% backwages also settled to him. The backwages settled details are as follows:-

No backwages for the period 11.10.96 to 23.03.2004 (As per Labour Court order and negotiation)



Backwages from 3/2004 to 3/2013 (I.D order date to reinstate date)	= Rs.1,20,341.69
70% backwages as per Mutual settlement	= Rs.8,42,549.18
Deductions	=Rs. 15,655.00

Amount to be paid to the employee	= Rs.8,26,894.00

The above said amount of Rs.8,26,894/- was paid to the employee vide cheque No.150954 dated 07.07.2014.

8. It is submitted that as per 18(1) settlement, this petitioner was re-engaged duty on 19.03.2013 and as per condition in 18(1) settlement that 70% back wage amount Rs.8,26,894.00/- was settled to the petitioner. But as per settlement, the petitioner not withdraw the pending E.P at Labour Court. Then the respondent Corporation submit the petition with the support of the 18(1) settlement and the pending E.P was closed by the Labour Court.

9. It is submitted that after reinstatement he was completed his balance service and retired from service on 30.04.2018. The Gratuity amount of Rs.5,44,774/- was also settled to the petitioner on 07.11.2020. The monthly pension amount of Rs.6,003/- has been also paid.

3. In view of the fact that the benefits due to the petitioner had already been settled, no further consideration is required. However, if any disputes with reference to calculation or otherwise and counting of service, the petitioner is at liberty to approach the Competent Authority for redressal of his grievances if any exists in the manner known to law.

4. With these observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Ssb

To:

The Managing Director, T.N.S.T.C.Limited,
Kumbakonam-612 001.

+1 CC to M/s.D. SIVARAMAN, Advocate (SR-21366[F] dated 26/04/2022)
W.P.(MD) No.23943 of 2019

25.04.2022