



W.P.No.3885 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.3885 of 2023

V.Lakshmi Narayanan

... Petitioner

Vs.

M/s.Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Rep.by its Managing Director
New Railway Station Road
Kumbakonam.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to settle a sum of Rs.2,69,783/- towards 4% interest for the belated settlement of retirement benefits to the petitioner by considering the representation of the petitioner dated 19.01.2023 to the respondent.

For Petitioner : Mr.D.Soundar Raj

For Respondent : Mrs.S.Sathya Gandhi
Standing Counsel



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ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondent Corporation to settle the retirement benefits of the petitioner along with interest based on the representation made by the petitioner on 19.01.2023.

2.The case of the petitioner is that he was appointed as a clerk in the year 1987 and ultimately, he retired from service on 30.06.2017 as a Special Grade Assistant. The petitioner was settled with gratuity amount, earned leave salary and 1/3rd commutation of the pension.

3.The grievance of the petitioner is that a 12(3) settlement was arrived on 04.01.2018 and the settlement was given effect from 01.09.2016. Therefore, according to the petitioner, since he retired from service on 30.06.2017, the wage revision that was brought into force by virtue of the 12(3) settlement is applicable to the petitioner also. In view of the same, the petitioner is seeking for enhancement of wages and for the payment of the dues in the terminal benefits along with interest. The petitioner made a representation in this regard on 11.01.2023. Since the same was not



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considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.D.Soundar Raj, learned counsel for the petitioner and Mrs.S.Sathya Gandhi, learned Standing Counsel appearing on behalf of the respondent.

5.Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the respondent Corporation to consider the representation made by the petitioner on 11.01.2023, on its own merits and in accordance with law in line with the 12(3) settlement and in the event of the petitioner being entitled, the dues towards the terminal benefits pursuant to the 12(3) settlement shall be paid to the petitioner within a period of **twelve weeks** from the date of receipt of copy of this order. In view of the fact that there is a delay in settling the terminal benefits on time, the respondent Corporation shall also pay interest at the rate of 4% p.a., from January 2018 till the date on which the dues towards the terminal benefits is settled to the petitioner.

N.ANAND VENKATESH,. J.



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6.This writ petition is disposed of with the above directions. No costs.

10.02.2023

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Internet : Yes/No

Index : Yes/No

Speaking Order :Yes/No

Neutral Judgment :Yes/No

To

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