



W.P(MD)No.13071 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13071 of 2023

A.K.Nathan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam-612001.

2.The General Manager,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Karaikudi Region,
Managiri Post,
Maruthapathi,
Karaikudi,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to disburse the petitioner's difference amount of salary from September-2016 to December -2017 on the basis of 12(3) settlement dated 04.01.2018 along with 6% interest.



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For Petitioner : Mr.K.Gokul

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For Respondents : Mr.C.Jegadees Balan

ORDER

Heard the learned counsel on either side.

2. The writ petitioner joined as Driver in the respondent Corporation. He reached the age of superannuation and retired on 31.03.2019. Subsequently, settlement was entered into between the Union and the Management on 04.01.2018. But it was made applicable with effect from 01.09.2016. Therefore, the petitioner was also entitled to the benefit under the said settlement dated 04.01.2018. But his terminal benefits were settled without reference to the terms of the settlement. Therefore, the petitioner is entitled to the difference in benefits thereon.

3. This stand of the petitioner cannot be disputed. I, therefore, direct the respondent corporation to pay difference amount of salary from September-2016 to December -2017. This amount shall be paid within a period of six months from the date of receipt of a copy of this order.



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4. The Writ Petition is allowed accordingly. No costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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