



W.P.(MD).No.19558 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.19558 of 2023

R.Thangam

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Station Road,
Kumbakonam-612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
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, directing 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

For Respondents : Mr.K.Jegadeesh Balan
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to 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.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The writ petitioner joined as Driver in the respondent Corporation. He reached the age of superannuation and retired on 30.06.2016. 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



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terms of the settlement. Therefore, the petitioner is entitled to difference in benefits thereon.

4. This stand of the petitioner cannot be disputed. I therefore, direct the respondent Corporation to pay differential benefits of salary. This amount shall be paid within a period of six months from the date of receipt of a copy of this order. The respondent have to make the differential payment computed from the date of the petitioner's retirement till the date of payment.

5. This writ petition stands allowed, accordingly. There shall be no order as to costs.

11.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
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2. The General Manager,
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L.VICTORIA GOWRI, J.

BTR

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