



W.P.(MD).No.21844 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.21844 of 2023

S.Rajendran

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Station Road,
Kumbakonam-612 001.
- 2.The General Manager,
The 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 - 2019 to 31.05.2022 on the basis of 12(3) Settlement, dated 24.08.2022 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 - 2019 to 31.05.2022 on the basis of 12(3) Settlement, dated 24.08.2022 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 petitioner retired as Selection Grade Driver in the respondent Corporation. He reached the age of superannuation on 31.05.2022.

4. Subsequently, settlement was entered into between the Union and the Management on 24.08.2022. But it was made applicable with effect from 01.09.2019. Therefore, the petitioner was also entitled to the benefit under the said settlement dated 24.08.2022. But his terminal benefits were settled without



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reference to the terms of the settlement. Therefore, the petitioner is entitled to not only the difference in benefits but also interest thereon.

5. This stand of the petitioner cannot be disputed. I therefore, direct the respondent Corporation to pay difference amount of salary from September 2019 to 31.05.2022. This amount shall be paid within a period of six (6) months from the date of receipt of a copy of this order. The respondents have to make the differential payment with 6% interest per annum to be computed from the date of the petitioner's retirement till the date of payment.

6. This Writ Petition stands allowed, accordingly. There shall be no order as to costs.

08.09.2023

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



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L.VICTORIA GOWRI, J.

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