



W.P.(MD).No.23429 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.23429 of 2023

A.Sagayaraj

... Petitioner

Vs.

**1.The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Represented by its Managing Director,
Bye Pass Road, Madurai-625 016.**

**2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Madurai Region, Bye Pass Road,
Madurai-625 016.**

**3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.**

... 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 settle the Terminal Benefits amount of Rs.2,24,484/- payable to the petitioner such as difference in Gratuity, Leave Salary and Pension amount in terms of



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12(3) settlement, dated 24.08.2022 and all other attendant benefits to him with interest at the rate of 6% per annum from 01.08.2022 to till the date of payment.

For Petitioner : Mr.A.K.Thangavelu

For R-1 & R-2 : Mr.K.Ramaiah
Standing Counsel

For R-3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to settle the Terminal Benefits amount of Rs.2,24,484/- payable to the petitioner such as difference in Gratuity, Leave Salary and Pension amount in terms of 12(3) settlement, dated 24.08.2022 and all other attendant benefits to him with interest at the rate of 6% per annum from 01.08.2022 to till the date of payment.

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 from service in the respondent Corporation on attaining the age of superannuation on 31.07.2022.



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4. A 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 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 differential benefits in respect of gratuity and leave salary. 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. With the above said observation, this writ petition stands disposed of. There shall be no order as to costs.

27.09.2023



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NCC : Yes / No

Index : Yes / No

Internet : Yes

BTR

To

- 1.The Managing Director,
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Corporation (Madurai) Limited,
Bye Pass Road, Madurai-625 016.
- 2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Madurai Region, Bye Pass Road,
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L.VICTORIA GOWRI, J.

BTR

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