



W.P.(MD).No.25414 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2023

CORAM

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD).No.25414 of 2023**

R.Nagarajan

... 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 2019 to 31.05.2022 on the basis of 12(3) Settlement, dated 24.08.2022 along with 6% interest.



**W.P.(MD).No.25414 of 2023**

For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Ramaiah  
Standing Counsel

### **ORDER**

The present writ petition has been filed by a retired Conductor seeking a Mandamus to disburse the difference in salary due to the enhancement of salary under 12(3) settlement, dated 24.08.2022.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner attained superannuation on 31.05.2022. Thereafter, a settlement was reached between the Trade Union and the Management under Section 12(3) of the Industrial Disputes Act on 24.08.2022. As per the said settlement, the benefits would be conferred with effect from 01.09.2019. Therefore, he is entitled to the benefits from September 2019 till his retirement. For claiming the said benefits, the petitioner has sent a representation on 08.09.2023.

3. Considering the above said facts, the second respondent is directed to disburse the difference in the salary amount based upon the 12(3) settlement,



W.P.(MD).No.25414 of 2023

dated 24.08.2022 to the writ petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above said observation, this writ petition stands disposed of.

There shall be no order as to costs.

**19.10.2023**

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

To

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**W.P.(MD).No.25414 of 2023**

**R.VIJAYAKUMAR, J.**

BTR

**W.P.(MD).No.25414 of 2023**

**19.10.2023**