



W.P(MD)No.26384 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.11.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26384 of 2023

M.Dechain

... Petitioner

Vs.

The Management of Tamil Nadu
State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Represented by its General Manager,
Tirunelveli.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to revise /re-fix the scale of pay of the petitioner w.e.f 01.09.2019 to till his retirement, based on the wage settlement, dated 24.08.2022 and consequently, to pay him difference / arrears of wages for the period from 01.09.2019 to 31.01.2020 and also terminal benefits namely Gratuity and Encashment of Leave, after revising the same based on such re-fixed scale of pay payable to him on the month of his retirement, together with 18% interest per annum, within a time frame as may be fixed by this Court.



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For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.D.Jebaraj
Standing Counsel

ORDER

The present writ petition has been filed by a Special Grade Material Handler of the Transport Corporation seeking a Mandamus to disburse the difference amount of Gratuity and Encashment of Leave.

2. According to the writ petitioner, he had retired from service on 31.01.2020. The settlement under Section 12 (3) of the Industrial Dispute Act was entered into between the trade union and the management on 24.08.2022, with effect from 01.09.2019. As per the said settlement, the salary and other benefits were enhanced.

3. Seeking the said benefits, the petitioner has sent a representation on 19.07.2023. However, the same is yet to be disposed off. Considering the above said facts, the respondent is directed to confer the said benefits upon the writ petitioner and pass orders within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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4. With the above said observations, this Writ Petition stands disposed of. No costs.

03.11.2023

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

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To

The General Manager,
The Management of Tamil Nadu
State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.26384 of 2023

Dated:
03.11.2023