



W.P(MD)No.26373 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.11.2023**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26373 of 2023

N.Muthaiyan

... Petitioner

Vs.

1.The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli Division,
Represented by its Managing Director,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.

2.The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Represented by its General Manager,
Ranithottam, Nagercoil.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to pay the difference in petitioner's terminal benefits namely Gratuity, Encashment of Leave and other attendant benefit if any based on the new wage settlement dated 24.08.2022 with revised pay matrix w.e.f 01.09.2019 to on the date of the petitioner's retirement (for the period from 01.09.2019 to 31.05.2022) 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.Vashik Ali

For Respondents : Mr.D.Jebaraj
Standing Counsel

ORDER

The present writ petition has been filed by a retired Conductor of the Transport Corporation seeking a Mandamus to disburse the difference amount of Gratuity, Encashment of Leave and other attendant benefit.

2. According to the writ petitioner, he had retired from service on 31.05.2022. 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 03.10.2023. However, the same is yet to be disposed off. Considering the above said facts, the 2nd 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

1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli Division,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Ranithottam, Nagercoil.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.26373 of 2023

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