



W.P.No.4521 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.4521 of 2022

K.Varathan

...Petitioner

-Vs -

1. The Managing Director,
Tamilnadu State Transport Corporation
(Villupuram) Limited,
3/137, Salamedu, Valudha Reddy Post,
Villupuram – 605 602.

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Pallavan Salai, Chennai – 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to revise the terminal benefits of the petitioner such as gratuity and leave salary as per clause 5 of 13th wage settlement dated 04.01.2018 and to pay the differential amount with 10% interest and also to revise the pension of the petitioner by adding one increment in last drawn salary of the petitioner.



WEB COPY



W.P.No.4521 of 2022

For Petitioner : Mr.S.T.Varadarajulu
For Respondents
For R1 : Mr.R.Venkatesa Perumal
Standing Counsel
For R2 : Mr.C.S.K.Sathish

ORDER

This writ petition has been filed for direction directing the respondents to revise the terminal benefits of the petitioner such as gratuity and leave salary as per clause 5 of 13th wage settlement dated 04.01.2018 and to pay the differential amount with 10% interest and also to revise the pension of the petitioner by adding one increment in last drawn salary of the petitioner.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner had joined in the service of the first respondent as Conductor. While retiring from his service, he was holding the post of Selection Grade Checking Inspector. He retired from service in the year 2015. The 13th Wage settlement which came into force belatedly on 04.01.2018, but the wage revision was given effect from 01.09.2010.

Therefore, the petitioner is entitled to get settlement benefits and terminal



W.P.No.4521 of 2022

benefits as per 13th wage settlement. Hence, the petitioner submitted his representation. However, it is pending on the file of the respondents.

4. Considering the above facts and circumstances of the case, the respondents are directed to consider the representation of the petitioner. If the petitioner is entitled for difference in leave salary, difference in gratuity and pensionary arrears, if any, he may be settled with all the difference as per 13th Wage settlement, dated 04.01.2018, with applicable interest, and disburse the same, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

01.03.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
rts



WEB COPY



W.P.No.4521 of 2022

G.K.ILANTHIRAIYAN. J.

rts

To

1. The Managing Director,
Tamilnadu State Transport Corporation
(Villupuram) Limited,
3/137, Salamedu, Valudha Reddy Post,
Villupuram – 605 602.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Pallavan Salai, Chennai – 600 002.

W.P.No.4521 of 2022

01.03.2024