



W.P.No.4637 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

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

W.P.No.4637 of 2024

M.Kalyanasundaram

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd,
Vellore Region,
Rangapuram, Vellore – 632 009.

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 Constitution of India for the issuance of Writ of Mandamus, directing the respondents to revise the petitioner wages with effect from 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and pay him the arrears of wages payable from



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01.09.2019 to 31.01.2020, difference in Leave Salary and Gratuity, Arrears of pension from 01.02.2020 to 28.02.2023 along with the interest at the rate of 12% per annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.

For Petitioner : Mr.P.Manoj Kumar

For R1 and R2 : Mr.R.Venkatesa Perumal
Standing Counsel

For R3 : Mr.C.S.K.Sathish

ORDER

This Writ Petition has been filed for a direction directing the respondents to revise the petitioner wages with effect from 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and pay him the arrears of wages payable from 01.09.2019 to 31.01.2020, difference in Leave Salary and Gratuity, Arrears of pension from 01.02.2020 to 28.02.2023 along with the interest at the rate of 12% per annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.

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



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3. The petitioner was working as a Special Grade Conductor in the respondents Corporation and retired from service on 31.01.2020.

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 not only to the difference in benefits, but also interest thereon.

5. This stand of the petitioner cannot be disputed. Therefore, the respondents / Corporation are directed to pay arrears of wages and differential benefits in respect of Gratuity and Encashment of Leave as per wage settlement, dated 24.08.2022. Those amounts 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.



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6. With the above said observations, this writ petition stands disposed of. There shall be no order as to costs.

26.02.2024
(2/2)

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To

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