



WEB COPY



W.P.No.5251 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM:

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

W.P.No.5251 of 2024

V.Venkatesan

... 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,
Tamilnadu State Transport Corporations
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai 600 002

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue Writ of Mandamus directing the respondents to revise



W.P.No.5251 of 2024

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 20.12.2020, difference in Leave Salary and Gratuity, Arrears of pension from 21.12.2020 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 Respondents

For R1 & 2 : Mr.R.Venkatesa Perumal,
Standing Counsel

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

ORDER

The writ petition has been filed for direction to 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 20.12.2020, difference in Leave Salary and Gratuity, Arrears of pension from 21.12.2020 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



W.P.No.5251 of 2024

WEB COPY

2. The petitioner retired as Special Grade Conductor from the respondents / Corporation. He voluntarily retired on 20.12.2020.

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

4. This stand of the petitioner cannot be disputed. I therefore, direct the respondents / Corporation 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.



W.P.No.5251 of 2024

WEB COPY

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

05.03.2024
($\frac{1}{2}$)

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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W.P.No.5251 of 2024

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G.K.ILANTHIRAIYAN, J.

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