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W.P.No.4821 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM:

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

W.P.No.4821 of 2024

A.Pavalakannan

... 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,
Anna Salai, Chennai – 600002.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to revise the petitioner wages with effect 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 31.07.2022 difference in Leave Salary, Gratuity and Arrears of pension from 01.08.2022 to 28.02.2023 along with the interest at the rate of 12 percent per



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annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Hon'ble Court.

For Petitioner : Mr.P.Manojkumar

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 direction directing the respondents to revise the petitioner wages with effect 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 31.07.2022 difference in Leave Salary, Gratuity and Arrears of pension from 01.08.2022 to 28.02.2023 along with the interest at the rate of 12 percent per annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Hon'ble Court.

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

3. The petitioner was working as Special Grade Conductor in the Tamil Nadu State Transport Corporation (Villupuram) Ltd., Vellore Region and retired from service on 31.07.2022. The respondents settled his retirement benefits only on 25.06.2023. While being so, the 14th Tripartite Wage



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Settlement under Section 12(3) of the Industrial Dispute Act was entered into between the Management and the Trade Unions on 24.08.2022. As per the terms of settlement, the Management agreed to revise the wages of the employees those who are in service as on 01.09.2019 by revising the pay by 5% of the earlier wages. Since the petitioner had retired from service with effect from 31.07.2022, he is also covered under the 14th wage settlement as per the settlement dated 24.08.2022 with effect from 01.09.2019. Though the respondents have revised his pension from the month of March, 2023, based on the wage revision as per the settlement entered between them, they have not paid any difference of pension from August 2022 to February 2023 and also difference in wages, difference in gratuity and leave salary. Hence, the petitioner submitted a representation and it is pending with the respondents.

4. Considering the above facts and circumstances of the case, the respondents are directed to disburse the revised wages from from 01.09.2019 to 31.07.2022 difference in Leave Salary, Gratuity and Arrears of pension from 01.08.2022 to 28.02.2023, with applicable interest, 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.



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Internet: Yes

Index : Yes/No

Speaking/Non Speaking order
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To

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Tamil Nadu State Transport



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G.K.ILANTHIRAIYAN. J.

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