



W.P.No.8493 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2024

CORAM:

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

W.P.No.8493 of 2024

K.Vijayakumar

... Petitioner

Vs.

- 1.The Managing Director,
Metropolitan Transport Corporation (Chennai) Limited,
Pallavan Illam,
Mount Road, Pallavan Salai,
Chennai 600 002
- 2.The General Manager,
Metropolitan Transport Corporation (Chennai) Limited,
Pallavan Illam,
Mount Road, Pallavan Salai,
Chennai 600 002
- 3.The Administrator,
Tamil Nadu Transport Corporation
Employees Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2

... Respondents

PRAYER:

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



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implement the 14th Wage Settlement (பார்வை.C1 / 23053 of 2019) signed under section 12(3) of the I.D. Act dated 24.08.2022 and to re-calculate the retirement benefits of the petitioner such as difference amount of gratuity, leave salary, provident fund, commuted value of pension, revised pension for the period from 01.09.2019 to 31.10.2019 (date of retirement) pension arrears and other retirement benefits and consequently direct the respondents to pay the petitioner the difference amount of the same along with interest at the rate of 6% per annum within the time limit stipulated by this Court.

For Petitioner : Mr.N.Sudhagar

For Respondents

For R1 & 2 : Mr.A.Vinothraj,
Standing Counsel

ORDER

The writ petition has been filed for direction to the respondents to implement the 14th Wage Settlement (பார்வை.C1 / 23053 of 2019) signed under section 12(3) of the I.D. Act dated 24.08.2022 and to re-calculate the retirement benefits of the petitioner such as difference amount of gratuity, leave salary, provident fund, commuted value of



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pension, revised pension for the period from 01.09.2019 to 31.10.2019 (date of retirement) pension arrears and other retirement benefits and consequently to direct the respondents to pay the petitioner the difference amount of the same along with interest at the rate of 6% per annum.

2. The petitioner retired as Checking Inspector/Time Keeper from the respondents / Corporation. He reached the age of superannuation on 31.10.2019.

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



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the respondents / Corporation to pay difference amount of gratuity, leave salary, provident fund, commuted value of pension, revised pension for the period from 01.09.2019 to 31.10.2019 (date of retirement) pension arrears and other retirement benefits 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.

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

27.03.2024
($\frac{1}{2}$)

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

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G.K.ILANTHIRAIYAN, J.



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