



WEB COPY



W.P.No.21045 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2024

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21045 of 2024

K.Gurunathan

... Petitioner

-Vs-

1. The General Manager,
Tamil Nadu State Transport Corporation
(VPM) Ltd,
Tiruvannamalai Region,
Vengikal, Tiruvannamalai – 606 604.

2. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Post Retirement Welfare Fund Trust,
Thiruvalluvar House,
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 pay the difference in Provident Fund arrears, the difference in leave salary, the difference in Gratuity, The difference in commutation, EL Surrender, last month's 11 days salary and pension arrears with interest at the rate of 8% per annum as per 14th wage settlement dated 24.08.2022 to the petitioner within a specified time.

For Petitioner : Mr.R.Yash Rathi

For R1 : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER



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This Writ Petition has been filed for direction directing the respondents to pay the difference in Provident Fund arrears, the difference in leave salary, the difference in Gratuity, The difference in commutation, EL Surrender, last month's 11 days salary and pension arrears with interest at the rate of 8% per annum as per 14th wage settlement dated 24.08.2022 to the petitioner within a specified time.

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

3. The petitioner had joined the service under the first respondent as a Conductor on 22.02.1999. He had rendered 23 years of unblemished service and retired from the service as Selection Grade Conductor on 31.07.2022 after attaining superannuation. The respondents settled his retirement benefits belatedly. While being so, the 14th Tripartite Wage 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



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covered under the 14th wage settlement as per the settlement dated 24.08.2022 with effect from 01.09.2019. 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 pay the difference in Gratuity, difference in commutation, EL Surrender, last month's 11 days salary and pension arrears, with applicable interest, within a period of eight 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.

30.07.2024

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation:Yes/No
mn



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G.K.ILANTHIRAIYAN, J.

mn

To

1. The General Manager,
Tamil Nadu State Transport Corporation
(VPM) Ltd,
Tiruvannamalai Region,
Vengikal, Tiruvannamalai – 606 604.
2. The Administrator,
Tamil Nadu State Transport Corporation
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