



WEB COPY



W.P.No.21056 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM:

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

W.P.No.21056 of 2024

R.Kumar

.... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu,
Varathareddy post,
Villupuram – 605 602.

2. The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

.... 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 pay the difference in payment of Leave Salary, Difference in Wages between the Date of Settlement came into effect and Date of Retirement (30.06.2022), Difference in payment of Pension Arrears, and Contribution of Retirement benefits scheme to the petitioner together with interest @ 6% per annum in terms of the 14th Settlement made on dated 24.08.2022 to the petitioner by following the order passed in W.P.No. 3818 of 2024 dated 19.02.2024.



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For Petitioner : Mr.V.S.Jagadeesan
For R1 : Mr.R.Venkatesa Perumal
Standing Counsel
For R2 : Mr.C.S.K.Sathish

ORDER

This Writ Petition has been filed for direction, directing the respondents to pay the difference in payment of Leave Salary, Difference in Wages between the Date of Settlement came into effect and Date of Retirement (30.06.2022), Difference in payment of Pension Arrears, and Contribution of Retirement benefits scheme to the petitioner together with interest @ 6% per annum in terms of the 14th Settlement made on dated 24.08.2022 to the petitioner by following the order passed in W.P.No. 3818 of 2024 dated 19.02.2024.

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

3. The petitioner was working in the respondents Corporation and retired from service on 30.06.2022

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



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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) weeks 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.

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

26.07.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
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G.K.ILANTHIRAIYAN. J.

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To

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