



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.23970 of 2021

C.Rajendiran

...

Petitioner

versus

1.The Tamil Nadu State Transport Corporation,
(Villupuram) Ltd. Vellore Region,
Rep.by its Managing Director,
Vellore.

2.The Joint Commissioner of Labour (Conciliation),
DMS Complex, Chennai - 600 006. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to disburse the back wages and other retirement benefit from the date of superannuation a sum of Rs.36,97,031/- with interest.

For Petitioner : Mr.P.Solomon

For Respondent No.1 : Mr.T.Chandrasekaran
Standing Counsel for TNSTC

For Respondent No.2 : Mr.T.Chezhiyan
Additional Government Pleader



ORDER

WEB COPY The petitioner has filed this petition seeking a writ of mandamus, directing the respondents to disburse the back wages and other retirement benefits.

2. Heard Mr.P.Solomon, learned counsel for the petitioner and Mr.T.Chandrasekaran, learned Standing Counsel for the 1st respondent and Mr.T.Chezhiyan, learned Additional Government Pleader for the 2nd respondent and perused the materials available on record.

3. Mr.P.Solomon, learned counsel for the petitioner submitted that out of Rs.49,62,818/- the 1st respondent has paid only a sum of Rs.11,42,444/- and they have to pay the balance amount of Rs.38,20,374/-.

4. Mr.T.Chandrasekaran, learned Standing Counsel for the 1st respondent submitted that in pursuant to the direction given by this Court in W.P.No.39068 of 2005, all the monetary benefits due to the petitioner have



been paid except the gratuity balance to the tune of Rs.2,49,013/- and the same will also be disbursed shortly.

WEB COPY

5. The details of settlement of terminal benefits made to the petitioner are extracted as under:-

As per card PF Balance	Rs.1,27,004/-	A
HBA Loan availed from employer share during 07/1998	Rs.27,500/-	
Interest calculated	Rs.1,72,330/-	
Total amount has to be collected from individual (27500+172330)	Rs.1,99,830/-	B
After due adjustment the individual has to pay	Rs.72,826/-	(A-B)
(+)Educational advance	Rs.330/-	
(+)Fine	Rs.50/-	
(+)17B wages recovered	Rs.23,062/-	
After adjustment of HBA Loan, Corp dues pending	Rs.96,268/-	C
As per Gratuity Balance	Rs.2,49,013/-	D
Balance to be paid to individual	Rs.1,52,745/-	(C-D)

Details of Backwages:-

50% back wages for the period from 26.05.2003 to 31.01.2015 (i.e., date of dismissal to date of superannuation)	Rs.9,19,582.00	
Less already paid 17(B) wages (last full drawn wages)	Rs.8,15,320.00	(-)
Less already deposited 50% backwages for the period from 6/2003 to 12/2005	Rs.1,27,324.00	(-)
Excess paid	(-) Rs.23,062.00	



WEB COPY

PENSION PAID DETAILS

Pension sanction from September 2020	Rs.7,062/-
Total pension arrears amount paid (The pension arrears amount paid to the individual pension through ECS in four installments)	Rs.4,71,817/-

6. Since the petitioner has claimed a higher amount than what is said to be due to him, the petitioner is at liberty to furnish the particulars to the respondents and on such production of the documents, the respondents shall consider and pass appropriate orders on its own merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order and this Writ Petition is **disposed** accordingly. No costs.

20.03.2024

Speaking order / Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No

sri



WEB COPY

W.P.No.23970 of 2022





To
WEB COPY

- 1.The Managing Director,
The Tamil Nadu State Transport Corporation,
(Villupuram) Ltd. Vellore Region,
Vellore.
- 2.The Joint Commissioner of Labour (Conciliation),
DMS Complex, Chennai - 600 006.



WEB COPY

W.P.No.23970 of 2021



R.N.MANJULA, J.

sri

W.P.No.23970 of 2021

20.03.2024