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Writ Petition No.23776 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.23776 of 2024

1.R.Narayanamoorthy
S/o.Ramalingam

2.R.Senguttuvan
S/o.Radhakrishnan

3.R.Selvaraj
S/o.Ramasamy

... Petitioners

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu, Kandamanadi, PO,
Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road,
Cuddalore - 607 002.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees' Pension Trust Fund,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents



Writ Petition No.23776 of 2024

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to pay the difference in E.L surrender, Gratuity and pension arrears as per 13th and 14th wage settlement and 10% interest for the belated payment of terminal benefits such as E.L.surrender, Gratuity, P.F. and commutation of pension amount to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu

For Respondents : Mr.R.Venkatesa Perumal,
Standing Counsel [R1 & R2]
Mr.C.S.K.Sathish [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the difference in the surrendered earn leave, gratuity and pension arrears as per 13th and 14th wage settlement and for payment of 10% interest for the belated payment of terminal benefits.

2. Heard Mr.S.T.Varadarajalu, learned Senior Counsel appearing for petitioners and Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned counsel appearing for third respondent.



3. The case of the petitioners is that they were working in the transport corporation as conductors, drivers and technical staff and they have all rendered service for nearly 30 to 32 years. They have retired from service between 2016 and 2022. They served in various depots belonging to the respondent transport corporation.

4. The grievance of the petitioners is that 13th and 14th wage settlement was reached belatedly and it was also extended to retired employees. However, the terminal benefits of the petitioners were not settled as per 13th and 14th wage settlement. According to the petitioners, they are entitled to get arrears of pension for nearly 36 to 40 months as per the 13th and 14th wage settlement. However, this was not settled in spite of various representations made by the petitioners. It is under these circumstances, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and the earlier orders passed by this Court, there shall be a direction to respondents 1 and 3 to settle the difference in the surrendered earn leave, gratuity and pension arrears as per 13th and 14th wage settlement within a period of eight (8) weeks from the date of receipt of a copy of



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this order with 6% interest from the date on which the amount became due and payable till the date of actual payment.

6. The petitioners are directed to submit a fresh representation to respondents 1 and 3 along with a copy of this order.

This writ petition is disposed of with the above direction. No costs.

20.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

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N.ANAND VENKATESH, J

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