



WEB COPY



Writ Petition No.31030 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.31030 of 2024

K.Masilamani

... Petitioner

Vs.

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

2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Vellore Region, Rangapuram,
Vellore – 632 009

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to revise my wages with effect from 01.09.2016 based on the 13th wage settlement dated 04.01.2018 and pay the wages payable from 01.09.2016 to 31.12.2017 difference in leave salary and gratuity along with the interest at the rate of 12% per annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.

For Petitioner : Mr.P.Mohanraj
For Respondents : Mr.R.Venkatesa Perumal,
Standing Counsel [R1 & 2]



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ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the difference in leave salary and gratuity based on the 13th wage settlement dated 04.01.2018 along with the interest at the rate of 12% per annum from the date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.

2. Heard Mr.P.Mohan Raj, learned Counsel appearing for petitioner and Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for respondents 1 and 2 .

3. The case of the petitioner is that he was working as a Special Grade Driver in the 1st respondent Corporation and retired from service on 31.12.2017.

4. The grievance of the petitioner is that 13th wage settlement was reached belatedly and it was also extended to retired employees. However, the terminal benefits of the petitioner was not settled as per



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13th wage settlement. According to the petitioner, he is entitled to get difference in Leave Salary and Gratuity. However, this was not settled in spite of various representations made by the petitioner. 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 materials available on record, this writ petition is disposed of with a direction to the respondents Corporation to pay the eligible amount as payable to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount. This payment shall be made within a period of six weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation.

6. The petitioner is directed to submit a fresh representation to the respondents 1 and 2 along with a copy of this order.

7. This writ petition is disposed of with the above directions.



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No costs.

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Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
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N.ANAND VENKATESH, J

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To

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