



W.P.No.30829 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30829 of 2024

N.Dhayalan

.. Petitioner

Vs.

1.The Managing Director,
Metropolitan Transport Corporation (Chennai) Limited,
Pallavan Illam, Mount Road,
Pallavan Salai,
Chennai – 600 002.

2.The Administrator,
Tamil Nadu Transport Corporation,
Employees Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to implement the 14th Wage Settlement (பார்வை.C1/23053 of 2019), signed under Section 12(3) of the I.D. Act dated 24.08.2022, and to re-calculate the retirement benefits of the petitioner such as difference amount of gratuity, leave salary, provident fund, commuted value of pension, revised pension for the period from 01.09.2019 to 29.02.2020 (date of



W.P.No.30829 of 2024

retirement) pension arrears and other retirement benefits and consequently direct the respondents to pay the petitioner the difference amount of the same along with interest at the rate of 6% per annum within the time limit stipulated by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For R1 : Mr.A.Vinothraj
Standing Counsel

For R2 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to implement the 14th Wage Settlement (பார்வை.C1/23053 of 2019), signed under Section 12(3) of the I.D. Act dated 24.08.2022, and to re-calculate the retirement benefits of the petitioner such as difference amount of gratuity, leave salary, provident fund, commuted value of pension, revised pension for the period from 01.09.2019 to 29.02.2020 (date of retirement) pension arrears and other retirement benefits and consequently direct the respondents to pay the petitioner the difference amount of the same along with interest at the rate of 6% per annum within the time limit stipulated by this Court.



W.P.No.30829 of 2024

2.The case of the petitioner is that he joined the services of the respondent Corporation in the year 1995 and he retired from his service on 29.02.2020.

3.The grievance of the petitioner is that after his retirement, his terminal benefits were not paid as per the 14th wage settlement. Hence, he sent a representation dated 12.07.2024 to the respondents seeking for payment of terminal benefits with interest as per the 14th wage settlement. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.

4.Heard the learned counsel for the petitioner, learned Standing Counsel for the 1st respondent and the learned Standing Counsel for the 2nd respondent.

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 to pay the eligible amount with interest at the rate of 6% per annum for the delay period in settling the



W.P.No.30829 of 2024

terminal benefits. This payment shall be made within a period of six (6) 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 2nd respondent along with a copy of this order. No costs.

21.10.2024

(2/16)

krk

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

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W.P.No.30829 of 2024

N.ANAND VENKATESH, J.

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W.P.No.30829 of 2024

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