



WEB COPY



Writ Petition No.30762 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.30762 of 2024

N.Maheswari

... 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

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

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to settle the terminal benefits after giving effect of the 12th wage settlement benefits such as gratuity, leave salary, revised pension and pension arrears, difference in gratuity and leave salary, based on adding one year training period and 10% D.A. Increase with 10% interest to the petitioner.



Writ Petition No.30762 of 2024

For Petitioners : Mr.S.T.Varadarajalu
For Respondents : Mr.R.Venkatesa Perumal,
Standing Counsel [R1 & 2]
Mr.C.S.K.Sathish
Standing counsel [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the difference in gratuity, leave salary, revised pension, pension arrears and difference in gratuity with 10% interest as per 12th wage settlement to the petitioner.

2. Heard Mr.S.T.Varadarajalu, learned Counsel appearing for petitioner and Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing counsel appearing for 3rd respondent.

3. The case of the petitioner is that he was working in the transport corporation as a clerk in the year 1990. After completion of 24 years of service, he retired from service on 30.04.2014.



4. The grievance of the petitioner is that 12th 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 12th wage settlement. According to the petitioner, he is entitled to get gratuity, leave salary, revised pension, pension arrears and difference in 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 2nd respondent 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.



Writ Petition No.30762 of 2024

6.The petitioner is directed to submit a fresh representation to

the 2nd respondent along with a copy of this order.

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

No costs.

19.10.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

rka



Writ Petition No.30762 of 2024

N.ANAND VENKATESH, J

rka

To

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

Writ Petition No.30762 of 2024

19.10.2024