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W.P.No.33075 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33075 of 2024

K.Ravikumar

...Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Vellore Region,
Rangapuram, Vellore 632 009.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to revise the petitioner's wages with effect from 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and pay him the difference in Leave Salary,



W.P.No.33075 of 2024

Gratuity and Arrears of pension from 01.05.2020 to 28.02.2023 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. J.Lakshmi Narayanan

For Respondents : Mr. R.Venkatesa Perumal – R1 and R2
Mr.C.S.K.Sathish for R3

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner has filed this writ petition to issue a directing the respondents to revise the petitioner's wages with effect from 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and pay him the differene in Leave Salary, Gratuity and Arrears of pension from 01.05.2020 to 28.02.2023 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.



W.P.No.33075 of 2024

WEB COPY

3. The case of the petitioner is that he is an retired employee from the Respondent/Corporation. The grievance of the petitioner is that though the respondents have settled the retirement benefits of the petitioner namely gratuity, leave salary and pension based on the pre-revised wages, they are yet to pay the difference in gratuity and leave salary. Hence, he submitted a representation dated 19.08.2024 to the respondents seeking for revision of his wages and consequential retirement benefits based on the 14th wage settlement dated 24.08.2022, but till date there is no response from the respondents till date. Hence, the petitioner has filed this writ petition seeking to pay the difference amount and to pay the interest amount for the belated amount.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondent submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders



W.P.No.33075 of 2024

of this Court.

WEB COPY

6.Considering the facts of the case, this Court on submission made by either side counsel directs the respondent to consider the representation of the petitioner and pass orders on the claim made by the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

7.With the above directions, this Writ Petition stands disposed of.

No order as to costs.

13.11.2024

Index:Yes/No

Speaking order/Non-speaking order

msr



W.P.No.33075 of 2024

WEB COPY

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W.P.No.33075 of 2024

V.BHAVANI SUBBAROYAN,J.

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W.P.No.33075 of 2024

13.11.2024