



W.P.No.33378 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33378 of 2024

1. J.Ezhumalai

2. G.Sampath

3. N. Ragu

...petitioners

Vs

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

2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Kanchipuram Region,
Chennai - Bangalore National High way,
Ponnarikkarai, Kanchipuram - 631 502.

3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Welfare Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the difference in retirement benefits as per 14th wage settlement dated 24.08.2022 and 3% DA increase and last 10 days salary to the petitioners with 10% interest.

For petitioners : Mr.S.T.Varadarajulu

For Respondents : Mr.R.Venkatesa Perumal

ORDER

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

2. The petitioners have filed this writ petition to issue a Writ of Mandamus directing the respondents to pay the difference in retirement benefits as per 14th wage settlement dated 24.08.2022 and 3% DA increase and last 10 days salary to the petitioners with 10% interest.

3. The case of the petitioners are that they are retired employees of the Respondent/Corporation. The grievance of the petitioners is that the retirement benefits were settled to the petitioners based on the salary paid



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to them. 14th wage settlement was arrived on 24.08.2022 and given effect from 01.09.2019. Hence, the petitioners are entitled to get the settlement benefits. Apart from this, 3% DA was increased from 01.01.2019 and hence, the third petitioners are entitled to difference in terminal benefits based on 3% D.A. increase from 9% to 12%. Further, the respondent used to pay the monthly salary for the period from 21st of previous month to 20th of next month. For the last month, the respondent paid salary upto 20th of retirement month. But, the petitioners are entitled to salary till 30th or 31st of last retirement month. Therefore, the petitioners are entitled to last 10 days unpaid salary with interest. Therefore, the petitioners gave a representation to the respondents on 17.09.2024, 20.09.2024 and 23.09.2024 respectively with regard to the said issue. However, no action has been taken by the respondents till date. Hence this petition has been filed.

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



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

6. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representation of the petitioners and pass orders on the claim made by the petitioners 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.



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

No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order
smn

To

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V.BHAVANI SUBBAROYAN,J.

Smn

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