



W.P.No.35763 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.35763 of 2024

B. Devaraj

...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



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the petitioner's wages with effect 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and pay difference in Leave Salary and Gratuity and Arrears of pension from 01.05.2020 to 28.02.2023 along with 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 and pass orders.

For Petitioner : Mr.J. Lakshmi Narayanan
For Respondents 1 and 2 : Mr.R. Venkatesa Perumal
Standing Counsel
For Respondent 3 : Mr.C.S.K.Sathish,
Standing Counsel

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 Writ of Mandamus directing the Respondents to revise the petitioners wages with effect 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and pay arrears of wages to the petitioner from 01.09.2019 to 31.05.2022, difference in leave salary, gratuity and arrears of pension from 01.06.2022 to 28.02.2023 along with 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 and pass orders.



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3. The case of the petitioner is that he is a retired employee from the Respondent/Corporation. The grievance of the petitioner is that the petitioner retired on 30.04.2020 whereas the retirement benefits were settled only on 02.06.2021. It is also stated that the respondents have committed an error while arriving at the terminal benefits namely gratuity, leave salary and pension based on pre-revised wages. Therefore, the petitioner gave a representation to the respondents on 12.08.2024 with regard to the said issue. However, no action has been taken by the respondent till date. Hence this petition.

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 of this Court.



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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 eight 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.

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Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

Smn

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