



WEB COPY

W.P.No.36525 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.36525 of 2024

R.Manamalli

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupram – 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-600002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to revise the wages payable in respect of the petitioner's deceased husband Mr.Murugesan (Pay Roll No.02085, PPO No.3352) with effect from 01.09.2016 based on the 13th



wage settlement dated 04.01.2018 and pay the difference in Leave Salary, Gratuity and Arrears of pension from 01.11.2017 to 31.08.2019 to the petitioner for which her husband was entitled 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 Hon'ble Court.

For Petitioner : Mr.J.Lakshminarayanan

For R1 & R2 : Mr.R.Venkatesa Perumal

For R3 : Mr.C.S.K.Satish

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the difference in leave salary and gratuity based on the 13th wage settlement dated 04.01.2018 along with the interest at the rate of 12% per annum from the date of entitlement to till the date of actual disbursement, payable in respect of the petitioner's deceased husband, within a time limit to be stipulated by this Court.

2. Heard Mr.J.Lakshminarayanan, learned counsel appearing for petitioner, Mr.R.Venkatesa Perumal, learned counsel appearing for the respondents 1 and 2 and Mr.C.S.K.Satish, learned counsel apperaring for the 3rd respondent.



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3. The case of the petitioner is that her husband, late Mr.R.Murugesan joined service in the 1st respondent Corporation, later switched over to administrative side, and retired from service on 31.10.2017 as a Superintendent, Vellore Region.

4. The grievance of the petitioner is that 13th wage settlement was reached belatedly and it was also extended to retired employees. However, the terminal benefits of the petitioner's husband was not settled as per 13th wage settlement. According to the petitioner, her husband is entitled to get difference in Leave Salary and 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 respondents Corporation to pay the eligible amount as payable to the petitioner's husband 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.

6. The petitioner is directed to submit a fresh representation to the respondents 1 and 2 along with a copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

09.12.2024
(1/2)

dpa

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No



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