



W.P.No.36718 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.36718 of 2024

S. Puviyarasu Staff No. J06 206

...Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore - 43

2. The General Manager,.
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode – 638 001.

3. The Administrator,
Tamil Nadu State Transport Corporation Ltd.,
Thiruvalluvar House, Anna Salai,
Chennai - 2

...Respondents

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/arrears of wages for the period from 01.09.2019 to 30.06.2022 and also terminal benefits namely Gratuity and Encashment of Leave, Provident Fund, Pension Arrears and to revise pension on the basis of 12(3) settlement dated 24.08.2022 along with 12% interest p.a within a



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time frame as may be fixed by this Hon'ble Court and pass orders.

For Petitioner : Mr.N. Senthil Kumar
For Respondents 1&2 : Mr.M. Murali Vinodh
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 pay the difference/arrears of wages for the period from 01.09.2019 to 30.06.2022 and also terminal benefits namely Gratuity and Encashment of Leave, Provident Fund, Pension Arrears and to revise pension on the basis of 12(3) settlement dated 24.08.2022 along with 12% interest p.a within a time frame and pass orders.

3.The case of the petitioner is that the petitioner joined as a conductor in the Respondent/Corporation on 14.10.1990 and retired on



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30.06.2022 as Checking Inspector. The grievance of the petitioner is that inspite the petitioner retired on 30.06.2022, the terminal benefits was settled only on 22.05.2023. That apart while arriving the terminal benefits the respondent have not implemented the Wages Act properly, due to which there was a monetary loss to the petitioner. Therefore, the petitioner gave a representation to the respondents on 13.07.2024. However, no action has been taken by the respondents 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 respondents 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.

6.Considering the facts of the case and the submissions made



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by either side counsel, this Court directs the 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.

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.



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