



W.P.(MD).No.489 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.489 of 2024

P.Kamaraj

... Petitioner

Vs

1. The General Manager,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region, Dindigul District.

2. The Administrator,
The Tamil Nadu State Transport Corporation Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including gratuity, commutation of pension, arrears of monthly pension from 31.05.2021 till the date of realization of amount as per the settlement, dated 24.08.2022 under Section 12(3) of ID Act 1947 w.e.f. 01.09.2019, payable to him with 18 percent rate of interest within the time that may be stipulated by this Court.



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For Petitioner : Mr.G.M.Xavier

For Respondents : Mr.D.Jebaraj (R1)
Standing Counsel
Mr.S.C.Herold Singh (R2)
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to settle the petitioner's retirement benefits including gratuity, commutation of pension, arrears of monthly pension from 31.05.2021 till the date of realization of amount as per the settlement, dated 24.08.2022 under Section 12(3) of ID Act 1947 w.e.f. 01.09.2019, payable to him with 18 percent rate of interest within the time limit as stipulated by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner voluntarily retired from service on 31.05.2021 as a Selection Grade Conductor.

4. Subsequently, a settlement was entered into between the Union and the Management on 24.08.2022. But it was made applicable with effect



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from 01.09.2019. Therefore, the petitioner was also entitled to the benefit under the said settlement, dated 24.08.2022. However, his terminal benefits were settled without reference to the terms of the settlement. Therefore, the petitioner is entitled to not only the difference in benefits but also interest thereon.

5. This stand of the petitioner cannot be disputed. I therefore direct the respondents corporation to pay differential benefits in respect of retirement benefits including gratuity, commutation of pension, arrears of monthly pension. This amount shall be paid within a period of six months from the date of receipt of a copy of this order. The respondents have to make the differential payment with 6% interest per annum to be computed from the date of the petitioner's retirement till the date of payment.

6. Accordingly, this Writ Petition stands disposed of. No costs.

10.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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