



W.P.(MD).No.1751 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1751 of 2024

M.Jeyaram

... Petitioner

Vs

1. The Managing Director,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Division,
Bypass Road,
Madurai.
2. The General Manager,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region, Dindigul.
3. The Administrator,
Tamil Nadu State Transport Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai.

... 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 revise the petitioner's pay and grant the petitioner, the 4th and 5th Review as per the Settlement U/s. 12 (3) of the Industrial Dispute Act, 1947 dated 13.05.2015 and further directing the respondents to pay difference amount in his salary for



W.P.(MD).No.1751 of 2024

the period from 01.09.2016 along with difference amount in his retirement benefits together with interest at the rate of 12 percentage by considering his representation dated 04.01.2024, within a time frame fixed by this Court.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to revise the petitioner's pay and grant the petitioner, the 4th and 5th Review as per the Settlement U/s. 12 (3) of the Industrial Dispute Act, 1947 dated 13.05.2015 and further directing the respondents to pay difference amount in his salary for the period from 01.09.2016 along with difference amount in his retirement benefits together with interest at the rate of 12 percentage by considering his representation dated 04.01.2024, within a time frame fixed by this Court.

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



W.P.(MD).No.1751 of 2024

WEB COPY

3. The petitioner retired as a Special Grade Driver in the respondent Corporation on 31.03.2016.

4. Subsequently, a settlement was entered into between the Union and the Management under Section 12(3) of the Industrial Dispute Act, dated 13.04.2015. Therefore, the petitioner was also entitled to the benefit under the 4th and 5th review of the said settlement, dated 13.04.2015. 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 respondent Corporation to pay the arrears of wages and differential benefits under the 4th and 5th Review of the Settlement U/s. 12 (3) of the Industrial Dispute Act, 1947 dated 13.05.2015. 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.



W.P.(MD).No.1751 of 2024

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

30.01.2024

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



WEB COPY



W.P.(MD).No.1751 of 2024

L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.1751 of 2024

30.01.2024