



W.P.(MD).No.6385 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.6385 of 2024

A.Vargheese

... Petitioner

Vs.

**1.The Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Represented by its Managing Director,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.**

**2.The Administrator,
Tamil Nadu State Transport
Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2.**

... 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 pension based on the new wage settlement, dated 04.01.2018 and pay the petitioner the difference in pension payable to the petitioner for the period from 01.05.2017 to 30.09.2019 as arrears of pension, together with 18% interest per annum, within a time frame as may be fixed by this Court.



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For Petitioner : Mr.R.Murugan
For R1 : Mr.D.Jebaraj
Standing Counsel
For R2 : 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 pension based on the new wage settlement, dated 04.01.2018 and pay the petitioner the difference in pension payable to the petitioner for the period from 01.05.2017 to 30.09.2019 as arrears of pension, together with 18% interest per annum, within a time frame as may be 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.

3. The petitioner was appointed as Tradesman in the respondent Corporation on 09.04.1987 and retired as Senior Grade Tradesman on 30.04.2017.



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4. Subsequently, settlement was entered into between the Union and the Management on 04.01.2018. But it was made applicable with effect from 01.09.2016. Therefore, the petitioner was also entitled to the benefit under the said settlement dated 04.01.2018. But 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 differential benefits in respect of gratuity and leave salary. 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. The Writ Petition stands disposed of. No costs.

15.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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The Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
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Tirunelveli.
- 2.The Administrator,
Tamil Nadu State Transport
Employee's Pension Fund Trust,
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L.VICTORIA GOWRI, J.

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