



W.P.(MD).No.6794 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.6794 of 2024

S.K.Shanthi

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Rep. By its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Trichy Region,
Trichy -620 001.

3.The Administrator,
The Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House, Anna 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 herein to revise the wages of the petitioner's husband with effect 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and to pay arrears of wages



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payable from 01.09.2019 to 29.02.2020, difference in Gratuity, difference in Leave Salary and arrears of pension from 01.03.2020 to 28.02.2023 along with the interest at the rate of 12 percent per annum from the date of wage settlement ie. 24.08.2022 till the date of actual payment.

For Petitioner	: Mr.A.Balaji
For Respondents 1 & 2	: Mr.K.Ramaiah Standing Counsel
For 3 rd Respondent	: Mr.S.C.Herold Singh 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 present writ petition has been filed seeking direction to the respondents herein to revise the wages of the petitioner's husband with effect 01.09.2019 based on the 14th wage settlement dated 24.08.2022 and to pay arrears of wages payable from 01.09.2019 to 29.02.2020, difference in Gratuity, difference in Leave Salary and arrears of pension from 01.03.2020 to 28.02.2023 along with the interest at the rate of 12 percent per annum from the date of wage settlement ie. 24.08.2022 till the date of actual payment.



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3. The petitioner's husband joined the respondent Corporation on 13.06.1995 and while he was in service, he expired on 21.06.2021 due to illness. The petitioner's husband has rendered more than 24 years of unblemished service.

4. Subsequently, a settlement was entered into between the Union and the Management on 24.08.2022. But it was made applicable with effect from 01.09.2019. Therefore, the petitioner was also entitled to the benefit under the said settlement dated 24.08.2022. 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 arrears of wages and 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.



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L.VICTORIA GOWRI, J.

Mrn

6. The Writ Petition is allowed. No costs.

21.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

Mrn

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam.
- 2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Trichy Region,
Trichy -620 001.
- 3.The Administrator,
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