



W.P.(MD).No.8064 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.8064 of 2024

R.Baskaran

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Limited,
27, New Railway Station Road,
Kumbakonam - 612 001.

2. The General Manager,
Tamil Nadu State Transport Corporation (KMB) Limited,
Nagapattinam Region, Nagapattinam.

... 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 disburse the petitioner's difference amount of Salary, Gratuity, Surrender Leave, Provident Fund, Pensions Arrears and to revise pension on the basis of 12 (3) Settlement dated 04.01.2018.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Ramaiah
Standing Counsel



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ORDER

The present writ petition has been filed seeking a direction to the respondents to disburse the petitioner's difference amount of Salary, Gratuity, Surrender Leave, Provident Fund, Pension Arrears and to revise pension on the basis of 12 (3) Settlement.

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 employed as a Driver in the respondent corporation and retired from service on attaining the age of superannuation on 31.05.2017.

4. Subsequently, a settlement was entered into between the Union and the Management on 01.09.2016. But it was made applicable with effect from 04.01.2018. Therefore, the petitioner was also entitled to the benefit under the said settlement, dated 01.09.2016. 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.



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5. This stand of the petitioner cannot be disputed. I therefore direct the respondents corporation to pay differential benefits in respect of Salary, Gratuity, Surrender Leave, Provident Fund, Pensions Arrears. 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.

28.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

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L.VICTORIA GOWRI, J.

PNM

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