



W.P.(MD)No.12877 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM

**THE HONOURABLE MS JUSTICE R.N.MANJULA**

**W.P.(MD)No.12877 of 2024**

C.Mony

... Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu State Transport Corporation (Tvl) Limited,  
23/2, Thoothukudi Road,  
Kattabomman Nagar,  
Tirunelveli District - 627 007.

2.The General Manager,  
Tamil Nadu State Transport Corporation (Tvl) Limited,  
Nagercoil Region,  
Ranithottam,  
Kanyakumari District.

3.The Administrator,  
Tamilnadu State Transport Corporation  
Employees Pensions Fund Trust,  
Thiruvalluvar Illam,  
Pallavan Salai,  
Chennai - 2.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse the petitioner's difference amount of Salary, Gratuity, Surrender Leave, Pensions, Pensions Arrears and to revise Pensions on the basis of 12(3) Settlement dated 04.01.2018 along with 6% interest.



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For Petitioner : Mr.K.Gokul  
For R-1 & R-2 : Mr.K.Ramaiah,  
Standing Counsel  
For R-3 : Mr.S.C.Herold Singh

### **ORDER**

This Writ Petition has been filed seeking direction to the respondents to disburse the petitioner's difference amount of salary, gratuity, surrender leave, pension, pension arrears and consequently to revise his pension on the basis of 12(3) Settlement dated 04.01.2018 along with 6% interest

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

3. Heard Mr.K.Gokul, learned counsel appearing for the petitioner, Mr.K.Ramaiah, learned Standing Counsel appearing for respondents Nos.1 and 2 and Mr.S.C.Herold Singh, learned counsel appearing for the third respondent.

4. The petitioner was employed as 'Driver' in the Tamil Nadu State Transport Corporation (Tirunelveli) Limited on 10.03.1989 and he retired from service as 'Non ITI-Helper' on 31.10.2016.



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5. 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. This stand of the petitioner cannot be disputed.

6. In view of the aforestated reasons, this Writ Petition is **disposed of** with a direction to the respondent Corporation to pay arrears of wages and differential benefits in respect of salary, gratuity, surrender leave, pension, pension arrears as per wage settlement, dated 24.08.2022. This amount shall be paid within a period of twelve weeks from the date of receipt of a copy of this order. The respondent has 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. No costs.

**19.06.2024**

Index:yes/no  
Internet:yes/no  
Ncc : yes/no  
TSG



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**R.N.MANJULA, J.**

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