



W.P.(MD)No.14636 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.14636 of 2024

Babu Chandramohan

... Petitioner

VS.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam – 612 001.

2.The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the different amount of salary, terminal benefits viz., Gratuity, Provident Fund, Earned Leave Salary and interest @ 6% p.a., and also revise the pension based on the 12(3) settlement dated 24.08.2022 and pay the different amount of pension to the petitioner within the time that may be prescribed by this Court.



W.P.(MD)No.14636 of 2024

For Petitioner : Mr.D.Venkatachalam
For R1 : Mr.K.Jagadees Balan
For R2 : Mr.S.C.Herold Singh

ORDER

Heard Mr.D.Venkatachalam, learned counsel appearing for the petitioner, Mr.K.Jagadees Balan, learned Standing Counsel appearing for R1 and Mr.S.C.Herold Singh, learned Counsel appearing for R2.

2. The petitioner has filed this petition seeking to issue a Writ of Mandamus, directing the respondents to pay the different amount of salary, terminal benefits viz., Gratuity, Provident Fund, Earned Leave Salary and interest @ 6% p.a., and also revise the pension based on the 12(3) settlement dated 24.08.2022 and pay the different amount of pension to the petitioner within the time that may be prescribed by this Court.



W.P.(MD)No.14636 of 2024

WEB COPY

3. The petitioner was appointed as a Security Seargent in the respondent Corporation in the year 1998 and retired on 28.02.2022.

4. 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 any reference to the terms of the settlement. Therefore, the petitioner is entitled to not only the difference in benefits but also to the interest thereon.

5. This stand of the petitioner cannot be disputed. I therefore, direct the first respondent Corporation to pay arrears of wages and differential benefits in respect of Gratuity and Encashment of Leave as per wage settlement, dated 24.08.2022. This amount shall be paid within a period of six (6) months from the date of receipt of a copy of this order. The first respondent has to make the differential payment with interest at



W.P.(MD)No.14636 of 2024

WEB COPY

the rate of 6% per annum to be computed from the date of the petitioner's retirement till the date of payment.

6. With the above observation, this Writ Petition is disposed of.

No costs.

04.07.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

sm



W.P.(MD)No.14636 of 2024

WEB COPY To:-

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam – 612 001.
- 2.The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.



WEB COPY



W.P.(MD)No.14636 of 2024

R.N.MANJULA, J.

sm

W.P.(MD)No.14636 of 2024

04.07.2024