



W.P.(MD).No.16525 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.16525 of 2024

R.Suganthi

... Petitioner

Vs

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

2. The General Manager,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Kumbakonam Region,
New Railway Station Road,
Kumbakonam-612 001.

... 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 husband's difference amount of Salary, Gratuity, Surrender Leave, Provident Fund, Pensions Arrears and to revise Pensions on the basis of 12(3) Settlement dated 24.08.2022 along with 6 percentage interest.

For Petitioner : Mr. K.Gokul
For Respondents : Mr.K.Ramaiah (R1,R2)
Standing Counsel



W.P.(MD).No.16525 of 2024

WEB COPY

ORDER

Heard Mr.K.Gokul, learned counsel appearing for the petitioner, Mr.K.Ramaiah and learned Standing Counsel appearing for R1,R2.

2.The petitioner has filed this writ petition seeking to issue a direction to the Respondents to disburse the petitioner husband's difference amount of Salary, Gratuity, Surrender Leave, Provident Fund, Pension Arrears and to revise Pension on the basis of 12(3) Settlement dated 24.08.2022 along with interest.

3.The petitioner's husband was employed as a Junior Record Clerk in the respondent Corporation and he died on 20.02.2023.

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's husband 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



W.P.(MD).No.16525 of 2024

petitioner's husband 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 difference amount of Salary, Gratuity, Surrender Leave, Provident Fund, Pension Arrears and to revise Pension 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 the rate of 6% per annum to be computed from the date of the petitioner husband's retirement till the date of payment.

6.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

24.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



W.P.(MD).No.16525 of 2024

WEB COPY

To

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

2. The General Manager,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Kumbakonam Region,
New Railway Station Road,
Kumbakonam-612 001.



WEB COPY



W.P.(MD).No.16525 of 2024

R.N.MANJULA, J.

PNM

ORDER IN
W.P.(MD).No.16525 of 2024

24.07.2024