



W.P.(MD)Nos.18222 to 18226 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)Nos.18222 to 18226 of 2024

W.P.(MD)No.18222 of 2024

P.Leelamma

... Petitioner

VS.

1.The Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Rep. by its Managing Director, Tirunelveli Division,
Kattapomman Nagar,
V.M.Chathiram,
Tirunelveli.

2.The Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Rep. by its General Manager, Nagercoil Region,
Ranithottam, Nagercoil.

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

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to revise the petitioner's scale of pay *w.e.f.* 01.09.2019 based on the new wage settlement dated 24.08.2022 and consequently to pay the petitioner difference in arrears of wages for the period from 01.09.2019 to 30.06.2022 and also the difference in petitioner's terminal benefits namely gratuity, Encashment of Leave, Pension after revising the same based on such re-fixed scale of pay payable to the petitioner on the month of the petitioner's retirement together with 18 percentage interest per annum within a time frame.

For Petitioner : Mr.R.Murugan
For R1 & R2 : Mr.D.Jebaraj
Standing Counsel
For R2 : Mr.S.C.Herold Singh
Standing Counsel

COMMON ORDER

The petitioners have filed these writ petitions seeking to direct the first respondent to disburse their difference / arrears of wages in their terminal benefits namely gratuity, encashment of Leave, pension arrears and to revise their pension on the basis of 12(3) settlement dated 24.08.2022 along with interest.



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2. The petitioners who were appointed as Record Clerks and Driver respectively in the respondent Corporation have all retired from service.

3. 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 petitioners were also entitled to the benefit under the said settlement, dated 24.08.2022. But their terminal benefits were settled without any reference to the terms of the settlement. Therefore, the petitioners are entitled to not only the difference in benefits but also to the interest thereon.

4. This stand of the petitioners cannot be disputed. I therefore, direct the first respondent to pay arrears of wages and differential benefits in respect of Gratuity, Encashment of Leave and 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 have to make the differential payment with interest at the rate



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of 6% per annum to be computed from the date of wage settlement till the date of actual payment.

5. With the above observations, these Writ Petitions are **disposed of.** No costs.

01.08.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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R.N.MANJULA, J.

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