



W.P.(MD)No.18038 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.18038 of 2024

S.Girija

... Petitioner

VS.

1.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Corporate Office, No.2, Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

2.The Administrator,
TNSTC Employees Pension Fund Trust,
SETC (TN) Limited,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to disburse the petitioner's husband's difference arrears amount of salary, Gratuity, Surrender leave salary and also pension with retrospective effect on the basis of 12(3) Settlement of 14th wage settlement made on 24.08.2022 to be implemented on 01.09.2019 with 6 percentage interest



W.P.(MD)No.18038 of 2024

as per the court direction since it is belated payment to her and also the revised pension arrears amount of belated payment eligible at the rate of 6 percentage per annum from the date of retirement till the date of payment payable for the said monetary terminal benefits.

For Petitioner : Mr.K.Gokul
For R1 : Mr.K.Senthil Kumar
Standing Counsel
For R2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The petitioner has filed this writ petition seeking to direct the respondents to disburse her husband's difference in amount of Salary, Gratuity, Surrender Leave and Pension Arrears and to revise her pension on the basis of 12(3) settlement dated 24.08.2022 along with 6% interest.

2. The petitioner's husband was appointed as a Checking Inspector in the respondent Corporation and died on 28.05.2021 while in service.



W.P.(MD)No.18038 of 2024

WEB COPY

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 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 petitioner is entitled to not only the difference in benefits but also to the interest thereon.

4. This stand of the petitioner cannot be disputed. I therefore, direct the respondents 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 respondents have to make the differential payment with interest at the rate of 6% per annum to be computed from the date of wage settlement till the date of actual payment.



W.P.(MD)No.18038 of 2024

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

WEB COPY

No costs.

01.08.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

mbi



WEB COPY



W.P.(MD)No.18038 of 2024

R.N.MANJULA, J.

mbi

W.P.(MD)No.18038 of 2024

01.08.2024