



W.P.(MD)No.17561 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

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S.Vijayalakshmi

... 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 Trust,
SETC (TN) Ltd.,
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 his 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 as per the Court direction since it is belated payment to the petitioner and



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also the revised pension arrears amount of belated payment is eligible at the rate of 6 percent interest per annum from the date of retirement to till the date of payment payable for the said monetary terminal benefits within a stipulated time.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Senthil Kumar,
Standing Counsel for R1

Mr.S.C.Herold Singh
Standing Counsel for R2

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 working as SG.SR. DCC in the respondent Corporation and died on 03.05.2021 while in service.



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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.



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

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No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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R.N.MANJULA, J.

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