



W.P.(MD)No.18399 to 18406 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)Nos.18399 to 18406 of 2024

W.P.(MD)No.18399 of 2024:

C.Sekar

... Petitioner

Vs.

1.The Additional Chief Secretary to Government of Tamil Nadu,
Transport Department,
Secretariat, Chennai-600 009.

2.The Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Rep. by its Managing Director,
Madurai.

3.The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Ltd.,
Madurai Region, Madurai.

4.The Administrator,
The Tamil Nadu Transport Corporation,
Employees Pension Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay the difference amounts in the benefits in respect of gratuity, encashment of earned leave



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salary, commuted value of pension and monthly pension along with Dearness allowance and with arrears from the date of retirement i.e., 30.06.2022 to the petitioner as per the wage revision settlement dated 24.08.2022 together with interest at 6% per annum for the differential payment to be computed from the date of his retirement till the date of payment within a time frame as may be fixed by this court.

For Petitioner	: Mr.A.Rahul
For R1	: Mr.J.Ashok Additional Government Pleader
For R2 and R3	: Mr.D.Jebaraj Standing Counsel
For R4	: Mr.S.C.Herold Singh Standing Counsel

COMMON ORDER

Heard Mr.A.Rahul, learned counsel appearing for the petitioners, Mr.J.Ashok, learned Additional Governmetn Pleader for the first respondent, Mr.D.Jebaraj, learned Standing Counsel appearing for second and third respondents and Mr.S.C.Herold Singh, learned Counsel appearing for fourth respondent in all petitions.

2.The petitioners have filed these writ petitions seeking to issue a direction to the respondents to settle the difference in petitioners' terminal benefits namely gratuity, leave salary and all other attendant benefits if any based on the new wage settlement under section 12(3) of ID Act 1947, dated 24.08.2022 with revised pay matrix w.e.f. 01.09.2019 with 6 % rate of interest.



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3.The petitioners were employed as Conductors, Tradesman and Driver in the respondent Corporation and retired from service on attaining the age of superannuation on 30.06.2022, 31.05.2021, 31.12.2021, 30.06.2022, 31.03.2020, 31.12.2020 and 31.05.2022, respectively.

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 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.

5.The stand of the petitioners cannot be disputed. I therefore, direct the respondent Corporation to pay arrears of wages and differential benefits in respect of gratuity, encashment of leave and all other attendant benefits 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 petitioners' retirement till the date of payment.



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6.With the above direction, these writ petitions stand disposed of.

There shall be no order as to costs

02.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

- 1.The Additional Chief Secretary
to Government of Tamil Nadu,
Transport Department,
Secretariat, Chennai-600 009.
- 2.The Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Rep. by its Managing Director,
Madurai.
- 3.The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Ltd.,
Madurai Region, Madurai.
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The Tamil Nadu Transport Corporation,
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R.N.MANJULA, J.

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