



W.P.(MD)No.19443 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19443 of 2024

G.Vijayan

... Petitioner

Vs

- 1.The Tamil Nadu State Transport Corporation(Tirunelveli) Limited,
Rep. by its Managing Director, Tirunelveli Division,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.
- 2.The Tamil Nadu State Transport Corporation(Tirunelveli) Limited,
Rep. by its General Manager, Nagercoil Region,
Ranithottam, Nagercoil.
- 3.The Administrator,
Tamil Nadu State Transport Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai – 2.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to revise 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/arrears of wages for the period from 01.09.2019 to 31.05.2022 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% interest per annum.



W.P.(MD)No.19443 of 2024

For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.D.Jebaraj
Standing Counsel for R1 and R2
Mr.S.C.Herold Singh
Standing Counsel for R3

* * * * *

ORDER

The instant writ petition has been filed by a retired Special Grade Driver seeking a mandamus to revise the petitioner payscale w.e.f.01.09.2019 based upon the new wage settlement dated 24.08.2022 and consequently to pay the arrears for the period between 01.09.2019 to 31.05.2022. The petitioner has further prayed for payment of difference in petitioner's terminal benefits along with 18% interest.

2.Considering the above said facts, the management and the employees have entered into 12(3) settlement, after the retirement of the petitioner giving retrospective effect to the said settlement, this Court is inclined to direct the respondent authorities herein to disburse the eligible benefits to the petitioner with 6% interest from the due date till the date of realization within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.(MD)No.19443 of 2024

WEB COPY

3. With the above said observations, this writ petition stands disposed of.

No costs.

14.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The Managing Director,
Tirunelveli Division,
The Tamil Nadu State Transport Corporation(Tirunelveli) Limited,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.
2. The General Manager,
Nagercoil Region,
The Tamil Nadu State Transport Corporation(Tirunelveli) Limited,
Ranithottam, Nagercoil.
3. The Administrator,
Tamil Nadu State Transport Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai – 2.



WEB COPY



W.P.(MD)No.19443 of 2024

R.VIJAYAKUMAR, J.

RJR

W.P.(MD)No.19443 of 2024

14.08.2024