



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.22185 of 2024

N.Ayyappan

... 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 Employees' 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.10.09.2019 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 30.06.2021 and also the difference in petitioner's terminal benefits namely Gratuity, Encashment of Leave, 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 within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.K.Ramaiah
Standing Counsel for R1 & R2
Mr.S.C.Herold Singh
Standing Counsel for R3

ORDER

The instant writ petition has been filed by a Special Grade Driver, who obtained voluntarily retirement on 30.06.2021, seeking a mandamus for disbursement of his monetary benefits based upon the wage settlement dated 24.08.2022.

2.According to the learned Counsel appearing for the writ petitioner, after his retirement, a wage settlement was reached between the trade union and the management under Section 12(3) of the Industrial Disputes Act on 24.08.2022, conferring benefits upon all the employees who were in service on 01.09.2019.

3.Seeking the said benefits, the petitioner has sent a representation on 31.08.2024. Since there is no reply, the present writ petition has been filed.



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4.Considering the above said facts, the respondent authorities are directed to confer the eligible benefits upon the writ petitioner with 6% interest from the due date till the date of disbursement within a period of twelve weeks from the date of receipt of a copy of this order.

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

No costs.

19.09.2024

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



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To

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

2.The General Manager,
The Tamil Nadu State Transport Corporation(Tirunelveli) Limited,
Nagercoil Region,
Ranithottam, Nagercoil.

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



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R.VIJAYAKUMAR, J.

RJR

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