



W.P.(MD).No.24069 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24069 of 2024

J.Samwise Delphin

... Petitioner

Vs.

1. The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Nagercoil Region,
Kanniyakumari District.

2. The Administrator,
The Tamil Nadu State Transport Corporation,
Employees Pension Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including gratuity, commutation of pension, arrears of monthly pension from 31.07.2022 till the date of realization of amount as per the settlement dated 24.08.2022 under Section 12(3) of ID Act 1947, w.e.f. 01.09.2019, payable to him with interest at the rate of 18% per annum within the time that may be stipulated by this Court.



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For Petitioner : Mr.G.M.Xavier
For R1 : Mr.D.Jebaraj
Standing Counsel

For R2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present Writ Petition has been filed by a retired Special Grade Driver of the respondent Transport Corporation, seeking a Mandamus, directing the respondents to settle the petitioner's retirement benefits including gratuity, commutation of pension, arrears of monthly pension from 31.07.2022 till the date of realization of amount as per the settlement dated 24.08.2022 under Section 12(3) of ID Act 1947, w.e.f. 01.09.2019.

2. According the writ petitioner, he had retired from service on 31.07.2022. After his retirement, the Trade Union and the Management entered into a Settlement under Section 12(3) of the Industrial Dispute Act, on 24.08.2022 and as per the said Settlement, the monetary benefits will be granted with effect from 01.09.2019. Seeking said benefits, the petitioner has sent a representation to the respondents on 14.09.2024. Since there is no response, the present writ petition has been filed.



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3. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

4. Considering the above said facts, the respondents herein are directed to disburse the eligible amount to the writ petitioner along with interest at the rate of 6% per annum from the due date till the date of realization. The said exercise shall be completed 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. There shall be no order as to costs.

14.10.2024

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