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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.26002 of 2024

A.James Raj

... Petitioner

Vs

The Management of
Tamil Nadu State Transport Corporation(Madurai) Limited,
Dindigul Region,
Rep. by its General Manager,
Dindigul.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to revise/re-fix the scale of pay of the petitioner w.e.f.01.09.19 to till his retirement, based on the wage settlement dated 24.08.2022 and consequently to pay him difference of terminal benefits namely Gratuity and Encashment of Leave, after revising the same based on such re-fixed scale of pay payable to him on the month of his retirement, together with 18% interest per annum within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Ramaiah
Standing Counsel



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ORDER

The instant writ petition has been filed by a Special Grade Driver of the respondent transport corporation, who had voluntarily retired on 28.02.2021, seeking a mandamus as against the respondent authorities for disbursement of difference in the terminal benefits in the gratuity, encashment of leave, pension along with interest at the rate of 18% per annum.

2. According to the learned Counsel appearing for the writ petitioner, after his retirement, the management and trade unions have reached a wage settlement on 24.08.2022, wherein it was agreed that the pay scale would be applicable to the employees who were in service on 01.09.2019. However, the said benefits were not conferred to him. Hence, he has addressed a representation on 19.08.2024. Since there is no response, the present writ petition has been filed.

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



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

No costs.

29.10.2024

1/11

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

To

The General Manager,
The Management of
Tamil Nadu State Transport Corporation(Madurai) Limited,
Dindigul Region,
Dindigul.



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R.VIJAYAKUMAR, J.

RJR

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1/11