



W.P.(MD).No.26493 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26493 of 2024

T.Poovarahavan

... Petitioner

Vs.

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



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first 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 30.06.2022 and also the difference in petitioner's terminal benefits namely Gratuity, Encashment of Leave and pension arrears 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 R1 and R2 : Mr.D.Jebaraj
Standing Counsel

For R3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present Writ Petition has been filed by a Special Grade Conductor of the respondent Transport Corporation seeking a Mandamus to revise the wages based upon the 14th wage settlement, dated 24.08.2022.



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2. According to the learned counsel appearing for the writ petitioner, though the petitioner had retired before 24.08.2022, as per the wage settlement, the benefits will be conferred upon all those employees who were in service on 01.09.2019. However, the said benefits have not been conferred upon the writ petitioner. The petitioner has also sent a representation to the respondents herein on 21.10.2024 for conferment of the said benefits. Since the representation has not been considered, the present writ petition has been filed.

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

4. Considering the above said facts, the respondents herein are directed to confer the eligible benefits upon the writ petitioner along with interest at the rate of 6% p.a., 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.



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5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

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

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli Division, Kattapomman Nagar,
V.M.Chathiram,
Tirunelveli.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Nagercoil Region, Ranithottam,
Nagercoil.
3. The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
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R.VIJAYAKUMAR,J.

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