



W.P.(MD)No.27858 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.11.2024

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.27858 of 2024

R.Thilagavathy

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corpn., (KMB) Ltd.,
New Railway Station Road,
Kumbakonam.

2. The General Manager,
The Tamil Nadu State Transport Corporation (KMB) Ltd.,
Karaikudi Region,
Managiri Post,
Maruthapathi,
Karaikudi,
Sivagangai District.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to disburse the petitioner's difference amount of Gratuity, Surrender Leave, Pensions Arrears and to revise Pensions on the basis of 12(3) Settlement dated 04.01.2018 along with 6% interest.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Ramaiah
Standing Counsel



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ORDER

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The instant writ petition has been filed by the wife of a retired employee of the respondent Transport Corporation, seeking a mandamus directing the respondents to pay the difference amount of Gratuity, Surrender Leave, Pensions arrears along with interest, based upon the settlement u/s.12(3) of the I.D. Act on 04.01.2018 from the date of his retirement.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner's husband was joined in the respondent Transport Corporation on 20.08.1986, and he had attained superannuation on 31.05.2018. Thereafter, he was died on 11.07.2019. The settlement u/s.12(3) of the I.D. Act was arrived on 04.01.2018 and came into effect on 01.09.2016, whereby his pay was retrospectively revised with effect from 01.09.2016.

3. According to the petitioner, in terms of the said settlement the respondents are liable to pay the difference in Gratuity, Surrender Leave, Pensions arrears along with interest. Hence, the petitioner sent a representation on 08.11.2024, seeking interest for the belated payment. Since, there is no response from the respondents authorities, the present writ petition has been filed.



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4. Considering the above said facts, the respondents Transport Corporation are directed to pay the eligible terminal benefits to the writ petitioner along 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 receipt of a copy of this order.

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

No costs.

21.11.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

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To

1. The Managing Director,
Tamilnadu State Transport Corpn., (KMB) Ltd.,
New Railway Station Road,
Kumbakonam.
2. The General Manager,
The Tamil Nadu State Transport Corporation (KMB) Ltd.,
Karaikudi Region,
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R.VIJAYAKUMAR, J.

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