



W.P.(MD)No.28159 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.11.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.28159 of 2024

Devasanthakumar

... Petitioner

Vs.

1.The General Manager,
Tamilnadu State Transport Corporation Tirunelveli Ltd.,
Ranithottam,
Nagercoil-629 001,
Kanyakumari District.

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

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to settle the difference in petitioner's terminal benefits namely gratuity, encashment of leave, revised salary arrears amount and all other attendant benefits if any based on the new wage settlement under Section 12(3) of ID Act, 1947 dated 04.01.2018 with refixed scale of w.e.f. 01.09.2016 on the date of the petitioner retirement (for the period from 01.09.2016 to 31.05.2017) payable to the petitioner with 6% rate of interest.



W.P(MD)No.28159 of 2024

For Petitioner : Mr.N.S.Ramakrishna Dass
For Respondent No.1 : Mr.K.Ramaiah
Standing Counsel
For Respondent No.2 : Mr.S.C.Herold Singh,
Standing Counsel

ORDER

The instant writ petition has been filed by the 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 was joined in the respondent Transport Corporation and he was rendered 30 years of service, and he had attained superannuation on 31.03.2017. 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.



W.P(MD)No.28159 of 2024

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, he sent a representation on 09.07.2024, seeking interest for the belated payment. Since, there is no response from the respondents authorities, the present writ petition has been filed.

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.

26.11.2024
(2/5)

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

gvn



WEB COPY



W.P.(MD)No.28159 of 2024

R.VIJAYAKUMAR, J.

gvn

To

- 1.The General Manager,
Tamilnadu State Transport Corporation Tirunelveli Ltd.,
Ranithottam,
Nagercoil-629 001,
Kanyakumari District.
2. The Administrator,
The Tamil Nadu State Transport Corporation Employees Pension Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

W.P.(MD)No.28159 of 2024

26.11.2024

(2/5)