



W.P.(MD).No.29123 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29123 of 2024

T.Nagarani

... Petitioner

-VS-

1.The TamilNadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.

2. The General Manager,
The Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

3. The Administrator,
The TamilNadu Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-02.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the petitioner, difference amounts in gratuity, leave salary, Commuted Value of Pension, difference in pension from 01.01.2017 to 17.10.2018 and family pension arrears from 17.10.2018 to till date along with Dearness Allowance on par



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with serving employees of Transport Corporation based on such revised wages payable to the petitioner's husband as on the date of her husband N.Dhathus's retirement that is 31.12.2016 in terms of the wage revision settlement under Section 12(3) of I.D. Act dated 04.01.2018 along with interest at the rate of 6% per annum

For Petitioner	: Mr.A.Rahul
For Respondent Nos.1 & 2	: Mr.K.Jagadeesbalan Standing Counsel
For Respondent No.3	: Mr.S.C.Herold Singh Standing Counsel

ORDER

The instant writ petition has been filed by the wife the deceased employee seeking a mandamus to disburse the terminal benefits arising out of 12(3) wage settlement dated 04.01.2018.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner's husband was working as Tradesman in the respondent Transport Corporation and he had attained superannuation on 31.12.2016. The petitioner's husband was died on 17.10.2018. He further contended that the 12(3) Wage Settlement was arrived on 04.01.2018 and the pay of all Transport Corporation employees were revised retrospectively from

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01.09.2016. The petitioner's husband is eligible to receive benefits under the 12(3) wage settlement dated 04.01.2018 and he is eligible to receive the said benefits and for revision of his pensionary benefits.

3.The petitioner has sent a representation to the said effect on 26.07.2024. Since, there is no response from the respondents, the present writ petition has been filed.

4. Considering the above said facts, the respondent Transport Corporation is directed to disburse the eligible terminal benefits arising out of 12(3) wage settlement dated 04.01.2018 to the writ petitioner along with 6% interest from the due date till the date of disbursement within a period of twelve (12) 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.

05.12.2024

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

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