



W.P.(MD).No.29284 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29284 of 2024

S.Kalaivani

... Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Represented by its Managing Director,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Karaikudi.

3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai – 02.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court 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 01.02.2017 to 25.07.2023 and family pension arrears from 26.07.2023 to till date along with Dearness



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allowance on par with serving employees of Transport Corporation based on such revised wages payable to the petitioner's husband as on the date of her husband K.Shanmugam's retirement that is 31.01.2017 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 within a time frame as may be fixed by this Court.

For Petitioner	: Mr.A.Rahul
For R1 and R2	: Mr.Jegadeesbalan Standing Counsel
For R3	: Mr. S.C.Herold Singh Standing Counsel

ORDER

The instant writ petition has been filed by the wife of the deceased Selection Grade Driver of the respondent Transport Corporation, seeking a Mandamus for disbursement of difference in terminal benefits arising out of 12 (3) Settlement reached between the Management and the Trade Union on 04.01.2018.

2. According to the learned counsel appearing for the writ petitioner, the petitioner's husband had attained superannuation on 31.01.2017. Thereafter, a settlement was reached on 04.01.2018 for enhancement of



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wages. However, the same is applicable to all those employees who were in service as on 01.09.2016. The petitioner has sent a representation to the respondents on 16.07.2024, seeking the said benefits. Since there is no response, the present writ petition has been filed.

3. Heard the learned counsel appearing for the writ petitioner and 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.

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

06.12.2024

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

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Kumbakonam – 612 001.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Karaikudi.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
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R.VIJAYAKUMAR,J.

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