



W.P.(MD).No.30676 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.12.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.30676 of 2024

S.Ganesan

... Petitioner

Vs

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

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Tiruchi Region,
Tiruchi 620 001.

3.The Chief Financial Adviser,
The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Corporate Office,
Kumbakonam 612 001.

4.The Administrator,
Tamil Nadu State Transport Corporation Employees Pension
Fund Trust,
Thiruvalluvar House,
Anna 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 herein to revise the wages of the petitioner with effect from 01.09.2019 based on the 13th wage



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settlement dated 04.01.2018 and to pay arrears of wages payable from 01.09.2016 to 30.09.2017 difference in Leave Salary along with interest at the rate of 12 % per annum from the date of wage settlement i.e., 04.01.2018 till the date of actual payment.

For Petitioner : Mr.D.Sivaraman

For Respondent Nos.1 to 3 : Mr.K.Ramaiah
Standing Counsel

For Respondent No.4 : 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 and other terminal benefits 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 on 23.10.1981, and he had attained superannuation on 30.09.2017. 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.



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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 24.11.2024, 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.

18.12.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

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