



W.P.Nos.3233 to 3235 and 3238 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.Nos.3233 to 3235 and 3238 of 2025

P.Marimuthu	... Petitioner in W.P.No.3233 of 2025
R.Sebastian Raj	... Petitioner in W.P.No.3234 of 2025
M.Pandidurai	... Petitioner in W.P.No.3235 of 2025
C.Diamond Evans	... Petitioner in W.P.No.3238 of 2025

Versus

Tamilnadu State Transport Corporation (Kovai) Ltd.,
rep. By its the Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 43 ...Respondent in W.P.Nos.3233, 3234
and 3235 of 2025

1. Tamilnadu State Transport Corporation (Coimbatore) Ltd.,
rep. By its the Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 43
2. Tamilnadu State Transport Corporation Employees'
Pension Fund Trust,
rep. By its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002 ...Respondents in W.P.No. 3238 of 2025

Prayer in W.P.No.3233 of 2025 : Writ Petition filed under Article
226 of Constitution of India for issuance of a Writ of Mandamus directing



W.P.Nos.3233 to 3235 and 3238 of 2025

WEB COPY

the respondent to pay the interest for the belated payment of terminal benefits namely, the PF, earned leave salary and gratuity at the rate of 12% per annum and to settle the amounts under the IRT, Social Security scheme, Post retirement benefits fund and family benefit fund with interest at the rate of 12% per annum within a specified time frame.

Prayer in W.P.No.3234 of 2025 : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondent to pay the interest for the belated payment of terminal benefits namely, the PF, earned leave salary and gratuity at the rate of 12% per annum and to settle the amounts under the IRT, Social Security scheme, Post retirement benefits fund and family benefit fund with interest at the rate of 12% per annum within a specified time frame.

Prayer in W.P.No.3235 of 2025 : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondent to pay the interest for the belated payment of terminal benefits namely, the PF, earned leave salary and gratuity at the rate of 12% per annum and to settle the amounts under the IRT, Social Security scheme, Post retirement benefits fund and family benefit fund



W.P.Nos.3233 to 3235 and 3238 of 2025

with interest at the rate of 12% per annum within a specified time frame.

WEB COPY

Prayer in W.P.No.3238 of 2025 : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay the arrears of difference in gratuity, to pay the arrears of difference in gratuity, difference in earned leave salary and in monthly pension from 01.04.2020 to April 2023 together with interest at the rate of 12% per annum.

For Petitioners : Mr.R.Krishnasamy

For Respondents : Mr.C.Gauthmaraj
Standing Counsel

COMMON ORDER

Since the issues involved in these petitions are one and the same, they are taken up together and a common order is passed.

2. The grievance of the petitioner in W.P.No.3233 of 2025 is that the petitioner joined the service of the 1st respondent as a Conductor on 27.03.1996 and retired from service on 31.01.2023 and after his retirement on 31.01.2023, the respondent has settled entire terminal benefits like provident fund, gratuity, earned leave salary only on 30.10.2024, after a delay of 638 days, however, interest has not been paid. Further, some of the terminal benefits namely, IRT, Social Security Scheme, Family Benefit Fund and post retirement benefits fund



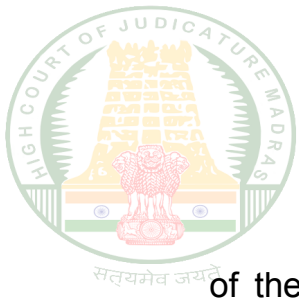
W.P.Nos.3233 to 3235 and 3238 of 2025

WEB COPY

have not been settled. Therefore, the petitioner submitted the representation dated 02.12.2024, however, the same has not been done, hence this petition.

3. The grievance of the petitioner in W.P.No.3234 of 2025 is that the petitioner joined the service of the 1st respondent as conductor on 09.04.1992 and retired from service on 28.02.2023 and after his retirement, the respondent has settled entire terminal benefits like provident fund, gratuity, earned leave salary only on 30.10.2024, after a delay of 610 days, however, interest has not been paid. Further, some of the terminal benefits namely, IRT, Social Security Scheme, Family Benefit Fund and post retirement benefits fund have not been settled. Therefore, the petitioner submitted the representation dated 16.11.2024, however, the same has not been done, hence this petition.

4. The grievance of the petitioner in W.P.No.3235 of 2025 is that the petitioner joined the service of the 1st respondent as a conductor on 10.07.1990 and retired from service on 31.12.2022 and after his retirement, the respondent has settled entire terminal benefits like provident fund, gratuity, earned leave salary only on 30.10.2024, after a delay of 669 days, however, interest has not been paid. Further, some



W.P.Nos.3233 to 3235 and 3238 of 2025

of the terminal benefits namely, IRT, Social Security Scheme, Family Benefit Fund and post retirement benefits fund have not been settled.

Therefore, the petitioner submitted the representation dated 16.11.2024, however, the same has not been done, hence this petition.

4. The grievance of the petitioner in W.P.No.3238 of 2025 is that the petitioner joined the service of the 1st respondent as a conductor on 17.10.1991 and retired from service on 31.03.2020 and after his retirement, though the settlement was signed on 24.08.2022, the Government issued letter for implementation of the settlement only by an order dated 17.02.2023, however, in the said order, direction was issued to pay revised pension only prospectively from the date of the said order. Therefore, the 1st respondent is paying the revised pension only from April, 2023 and correct fixation has not been done. The petitioner is entitled to the monthly basic pension as per the basic pay, which was refixed in the above said 12(3) Settlement from 01.04.2020 with 12% per annum. Therefore, the petitioner submitted the representation, however, the same has not been done, hence this petition.



W.P.Nos.3233 to 3235 and 3238 of 2025

WEB COPY

5. The learned counsel for the petitioners submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioners' representations and pass orders.

6. The learned standing counsel appearing for the respondents submitted that the representation of the petitioners will be considered and will pay the eligible amount with 6% interest per annum as per the earlier orders of this Court.

7. Considering the facts and circumstances of the case and taking note of the submissions made on either side, this Court directs the respondents to consider the representation of the petitioners and pass orders on the claim made by the petitioners within a period of eight weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.



W.P.Nos.3233 to 3235 and 3238 of 2025

WEB COPY

8. With the above directions, these Writ Petitions stand disposed

of. No order as to costs.

30.01.2025

Index : Yes/No
Internet: Yes / No
Speaking order : Yes/No

ssd

To

1. Tamilnadu State Transport Corporation (Kovai) Ltd.,
rep. By its the Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 43
2. Tamilnadu State Transport Corporation (Coimbatore) Ltd.,
rep. By its the Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 43
3. Tamilnadu State Transport Corporation Employees'
Pension Fund Trust,
rep. By its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002



WEB COPY



W.P.Nos.3233 to 3235 and 3238 of 2025

V.BHAVANI SUBBAROYAN, J.

ssd

W.P.Nos.3235 of 2025 etc.,

30.01.2025