



W.P.No.3465 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2025

CORAM:

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

W.P.No.3465 of 2025

K. Manoharan

... Petitioner

Versus

The Management of
Tamil Nadu State Transport Corporation
(Kovai) Ltd.,
Rep.by its Managing Director,
Coimbatore.

...Respondent

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the petitioner the difference/arrears of wages for the period from 01.09.19 to 31.07.2021 and also terminal benefits namely Gratuity and Encashment of leave, after revising the same based on the scale of pay payable to him on the month of his retirement, as admitted by the respondent in the RTI information dated 09.02.2023 together with 18% interest per annum.



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For Petitioner : Mr.V.Ajoy Khose
For Respondent : Mr.C.Gowthamaraj
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed seeking to issue a Writ of Mandamus, directing the respondents to pay the petitioner difference/arrears of wages for the period from 01.09.19 to 31.07.2021 and also terminal benefits namely Gratuity and Encashment of leave, after revising the same based on the scale of pay payable to him on the month of his retirement, as admitted by the respondent in the RTI information dated 09.02.2023 together with 18% interest per annum within the time frame fixed by this Court.

3.The case of the petitioner is that the petitioner joined in the Respondent Transport Corporation as Junior Tradesman on 20.11.1986



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and retired as Senior Tradesman on 31.07.2021. The scale of the petitioner should be re-fixed with effect from 01.09.2019, based on new settlement dated 24.08.2022 which results in increase in his wages payable to him on the month of his retirement also. Hence the respondent is bound to pay him arrears of wages and the terminal benefits and pension benefits after revising the same. Even after passing of 2 years and in spite of his continues requests, he has not been paid with the benefits. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 20.11.2024 and pass orders.

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



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6. Considering the facts of the case and the submissions made

by either side counsel, this Court directs the Respondent/Corporation to pay the eligible amount as payable to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount. This payment shall be made within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual disbursement.

7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

31.01.2025

(2/5)

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

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V.BHAVANI SUBBAROYAN, J.

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To
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Rep.by its Managing Director,
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