



W.P.No.6263 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

W.P.No.6263 of 2025

R.M.Kittu

... Petitioner

Vs

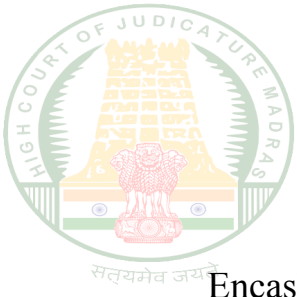
1. The Managing Director
Tamil Nadu State Transport
Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 43.

2. The General Manager
Tamil Nadu State Transport Corporation Ltd.,
Erode Region,
Chennimalai Road, Erode 638 001.

3. The Administrator
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar House,
Anna Salai, Chennai 600 002.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus to direct the respondents to pay the difference/arrears of wages for the period from 01.09.2019 to 31.10.2021 and also to pay terminal benefits namely Gratuity,



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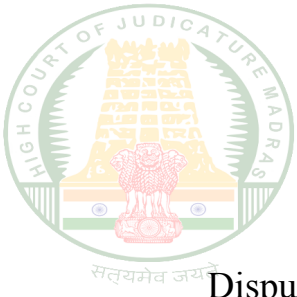
Encashment of leave, Provident Fund, Pension arrears and to revise pension on the basis of 12(3) settlement dated 24.08.2022 along with 12% interest p.a. within a time limit to be stipulated by this Court.

For Petitioner : Mr.N.Palani Kumar
For Respondents : Mr.M.Murali Vinodh

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents to pay the difference/arrears of wages for the period from 01.09.2019 to 31.10.2021 and also to pay terminal benefits namely Gratuity, Encashment of leave, Provident Fund, Pension arrears and to revise pension on the basis of 12 (3) settlement dated 24.08.2022 along with 12% interest p.a. within a time limit to be stipulated by this Court.

2. In the affidavit filed in support of the writ petition, it had been contended that the petitioner had been initially appointed as Assistant on 27.10.1988 and had taken Voluntary Retirement Service and retired from service on 31.10.2021. It is contended that the settlement between Management and the Workman under Section 12(3) of the Industrial



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Disputes Act on 24.08.2022 would be applicable to the petitioner herein.

Period of that particular settlement is from 01.09.2019 onwards.

Naturally since the petitioner was in service as on 01.09.2019, the petitioner is entitled for the benefits which had accrued under the said settlement.

3. A direction is given to the respondents to examine the representation given by the petitioner and pay difference/arrears of wages between 01.09.2011 and 31.10.2021 and also revise the terminal benefits already paid to the petitioner and effect such payment within a period of three months from the date of receipt of a copy of this order. The petitioner would be entitled to interest @ 6% p.a..

4. With the above direction, the writ petition is disposed of. No costs.

24.02.2025

dpq

Index: Yes/No

Speaking order / Non speaking order

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C.V.KARTHIKEYAN, J.

dpq

To

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