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W.P.No.31424 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

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THE HONOURABLE MS. JUSTICE P.T. ASHA

W.P.No.31424 of 2025 and
W.M.P.No.35166 of 2025

1. A.Moorthy

2. K.Maheswaran

...Petitioners

Vs.

1. The Tamil Nadu State Transport Corporation Ltd
Coimbatore Division II
rep by its Managing Director
No.37, Mettupalayam Road,
Coimbatore.

2. The Administrator,
Tamil Nadu Pension Trust,
Pallavan Salai,
Chennai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to pay difference in gratuity and encashment of earned leave as per 13th wage revision effected from 01.09.2016 implemented in the year 2018, and to pay earned leave along with interest, difference in gratuity, along with leave surrendered based on revised pay structure and RBSR fund with interest to the petitioners.



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For Petitioner : Mr.D.Anand Raja

For R1 : Mr.M.Murali Vinodh,
Standing Counsel

ORDER

The writ petition is filed for the relief herein below set out:

directing the respondent herein to pay difference in gratuity and encashment of earned leave as per 13th wage revision effected from 01.09.2016 implemented in the year 2018, and to pay earned leave along with interest, difference in gratuity, along with leave surrendered based on revised pay structure and RBSR fund with interest to the petitioners.

2. The brief facts which has culminated in the filing of this writ petition are set out below:

2.1. The petitioners herein have worked as Senior Tradesman with Tamil Nadu State Transport Corporation Ltd and retired from service on 30.06.2017 and 30.04.2017 respectively. But the respondent had not settled the retirement benefits on the date of retirement stating reason as paucity of funds. The respondent had also failed to settle the encashment of Earned leave citing



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various reasons.

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2.2. The pending amount to be paid are as follows:

S.No	Name	Date of Retirement	Remaining Settlement due	Amount
1.	A.Moorthy	30.06.2017	Earned leave Gratuity Arrears STERBS	32,974/- 66,981/- 17,600/-
2.	K.Maheswaran	30.04.2017	Earned leave Gratuity Arrears STERBS	16,310/- 41,725/- 17,300/-

2.3. Pending dues for leave surrender

S.No	Name	Date of Retirement	Number of days surrendered 45 days	Amount
1.	A.Moorthy	30.06.2017	Amount pending	36,753/-
	K.Maheswaran	30.04.2017	Amount pending	34,806/-

3. Apart from the above leave surrender, the petitioners have made representations to the respondent herein to settle encashment of difference in earned leave and Gratuity according to 13th Wage Revision and RBSR fund along with interest, however the respondent had not chosen to settle the terminal benefits at the time of retirement. Therefore, the Respondent is liable to pay interest for the delay.



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4. The petitioners have made representations to the first respondent including the application under RTI dated 23.04.2024 to pay difference in retirement benefits according to the 13th wage revision along with interest. however, the respondent had not considered his representation. Therefore, the petitioners are before this Court.

5. Heard the learned Counsels on either side and perused the records.

6. On perusal of the papers, it is evidently clear that the petitioner is entitled to the amounts mentioned above. A mandamus is therefore issued to the respondents directing them to pay the difference in gratuity and encashment of earned leave as per the 13th wage revision effected from 01.09.2016 implemented in the year 2018, and to pay earned leave along with interest, difference in gratuity, along with leave surrendered based on revised pay structure and RBSR fund with interest at 6% per annum to the petitioners within a period of one month from the date of receipt of a copy of this order.



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7. With the above directions, the writ petition is allowed. Consequently

connected miscellaneous petition is closed. No costs.

22.08.2025

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Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

To

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