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W.P.No.34350 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.09.2025

Coram:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.34350 of 2025

M.Rajasekaran

.. Petitioner

Vs.

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

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to pay the petitioner the difference/arrears of wages for the period from 01.09.2019 to 31.05.2022 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 07.04.2025, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For petitioner : Mr.V.Ajoy Khose

For respondent : Mr.C.Gauthamaraj, Standing Counsel

ORDER

The petitioner has filed the present Writ Petition seeking to issue a Writ of Mandamus to direct the respondent to pay the petitioner the difference/arrears

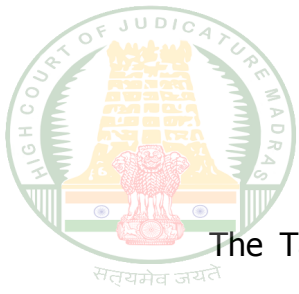


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of wages for the period from 01.09.2019 to 31.05.2022 and also terminal benefits, namely Gratuity and Encashment of Leave, after revising the same based on the scale of pay payable to him on the month of his retirement, as admitted by the respondent in the RTI information, dated 07.04.2025, together with 18% interest per annum, within a time frame as may be fixed by this Court.

2. The case of the petitioner is that he was appointed/working as Driver in the respondent/Corporation from 27.07.1990. After completion of 32 years of service and finally working as Special Grade Driver with staff No.90DR1014683 in the respondent/Corporation, he retired from service on 31.05.2022 on reaching the age of superannuation. The scale of pay of the petitioner should be re-fixed from 01.09.2019 based on the new settlement, dated 24.08.2022, which resulted in increase in his wages payable to him on the month of his retirement also. Hence, the respondent is bound to pay him the arrears of wages and the terminal benefits and pension benefits, after revising the same. However, even after passing of more than 3 years and inspite of continuous requests, the benefits have not been settled so far. Hence, the petitioner is suffering and therefore, he has filed the present Writ Petition for the relief stated supra.

3. When the matter is taken up for hearing, the learned counsel for the petitioner brought to the notice of this Court the order passed by the Co-ordinate Bench of this Court in a similar matter in W.P.No.25610 of 2024 (Ganesan Vs.



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The Tamil Nadu State Transport Corporation (Salem) Ltd), dated 03.09.2024,

wherein this Court had directed the respondent therein to pay interest at the rate of 6% p.a. for the belated payment of terminal benefits to the petitioner therein, within a period of six (6) weeks from the date of receipt of a copy of this order.

4. Learned counsel appearing for the respondent did not dispute the above submission made by the learned counsel for the petitioner.

5. Heard both sides and perused the materials available on record.

6. This Court perused the said order passed in W.P.No.25610 of 2024, wherein, this Court has held as under:

"5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioner, there shall be a direction to the respondent to pay interest at the rate of 6% p.a. for the belated payment of terminal benefits to the petitioner within a period of six (6) 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 interest at the rate of 12% p.a. from the date on which the amount became due and payable till the date of actual realisation."

7. Taking into consideration the facts and circumstances of the case and



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the aforesaid decision of this Court, it is clear that the aforesaid decision is squarely applicable to the facts of the present case. Accordingly, applying the ratio laid down in the above case, this Writ Petition stands disposed of, with a direction to the respondent to determine the eligible benefits payable to the petitioner and after determining that particular amount, to pay the same to the petitioner together with interest @ 6% per annum from the date on which the petitioner had retired from service, till the date of actual disbursement of the amounts, with regard to Provident Fund, Gratuity, Pension commutation and Earned leave amount, to the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that, if the amount is not paid within the time frame fixed by this Court, it will fetch interest at the rate of 9% per annum from the date on which the amount became due and payable till the date of actual realisation. There shall be no order as to costs.

10.09.2025

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