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W.P.No.34357 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.34357 of 2025

I.Chelladurai

.. 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 01.09.2016 to 31.12.2017 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 01.08.2025, 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

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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 of wages for the period from 01.09.2016 to 31.12.2017 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 01.08.2025, 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 Conductor in the respondent/Corporation from 03.05.1987. After completion of 30 years of service and finally working as Special Grade Conductor with staff No.87CR1013089 in the respondent/Corporation, he retired from service on 31.12.2017 on reaching the age of superannuation. The scale of pay of the petitioner should be re-fixed from 01.09.2016, based on the new settlement, dated 04.01.2018, 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, after revising the same. However, even after passing of several years and inspite of continuous requests, the benefits have not been settled so far. Hence, the petitioner is suffering and



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therefore, he has filed the present Writ Petition for the relief stated supra.

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

4. 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, dated 03.09.2024 (Ganesan Vs. Tamil Nadu State Transport Corporation (Salem) Ltd.), wherein this Court had directed the respondent 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.

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

6. This Court perused the 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

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due and payable till the date of actual realisation."

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7. The aforesaid 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 pay interest at the rate of 6% p.a. for the belated payment of terminal benefits such as, 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. 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% p.a. from the date on which the amount became due and payable till 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

CS

To

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

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A.D.JAGADISH CHANDIRA, J

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