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W.P.No.34279 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.34279 of 2025

M.Chinnakannu

.. Petitioner

Vs.

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

.. 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 01.09.2013 to 31.08.2014 and also terminal benefits, namely Gratuity and Encashment of Leave, after revising the same based on the scale of pay payable to him from 01.09.2013, as admitted by the respondent in the RTI information, dated 09.05.2025, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For petitioner : Mr.V.Ajoy Khose

For respondents: Mr.M.Murali Vinodh, 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 01.09.2013 to 31.08.2014 and also terminal benefits, namely Gratuity and Encashment of Leave, after revising the same based on the scale of pay payable to him from 01.09.2013, as admitted by the respondent in the RTI information, dated 09.05.2025, together with 18% interest per annum, within a time frame as may be fixed by this Court.

2. The petitioner was appointed/working as Driver in the respondent/Corporation from 26.07.1985. After completion of 29 years of service and finally working as Selection Grade Driver with staff No.85DR2J03286 in the respondent/Corporation, he retired from service on 31.08.2014 on reaching the age of superannuation. After having delayed for several months, the respondent has settled the terminal benefits, but till this date, the respondent has not yet correctly settled those benefits. The conditions of service, including the wages/scale of pay of the workmen of all the State Transport Corporations, including the respondent/Corporation, are determined by periodical settlements, which were made under Section 12(3) of the Industrial Disputes Act, and while the petitioner was in the verge of his service in the respondent/Corporation, a



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new wage settlement is to be arrived at, but there was delay in arriving at the settlement. Thus, the petitioner retired from service on 31.08.2014 before new settlement is arrived at. Thereafter, new wage settlement dated 13.04.2015 had been arrived at between the Management of all the State Transport Corporations including the respondent/Corporation and the Trade Unions and the same was given retrospective effect from 01.09.2013. Though the petitioner retired before the settlement, he is entitled to get the benefits of the same, in view of the fact that the settlement was given retrospective effect, but the petitioner is not given the benefits of the same. As per the new settlement, the petitioner's scale of pay is required to be re-fixed with effect from 01.09.2013 to the month of his retirement, i.e. August 2014. The respondent is therefore bound to pay the petitioner the arrears of wages for the period from 01.09.2013 to 31.08.2014.

3. In the above context, the petitioner sought for certain information from the respondent under the provisions of the Right to Information Act. The respondent furnished the information dated 09.05.2025, wherein the respondent admitted that the petitioner's scale of pay is revised/re-fixed with effect from 01.09.2013 by fixing Rs.12,900/- as his basic pay. Some of the terminal benefits of the workmen, namely gratuity, encashment of leave, etc., are calculated based on the wages payable to him on the month of his retirement. Accordingly, the revised monthly wages payable to the petitioner on the month of his



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retirement, i.e. August 2014, should be taken into account and based on the same, the terminal benefits are required to be revised by the respondent and the respondent is bound to pay the difference of the same to the petitioner. But till this date, the respondent has not revised the same and had not paid the above said difference of the same to the petitioner. Hence, the petitioner sent a representation, dated 02.07.2025 to the respondent, but it evoked no response. Hence, the petitioner has filed this Writ Petition for the relief stated supra.

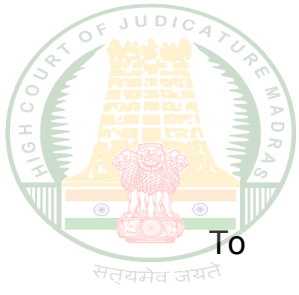
4. Heard both sides and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case, a direction is issued 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.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

10.09.2025

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To

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



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A.D.JAGADISH CHANDIRA, J

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