



WEB COPY



WP No. 40758 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 40758 of 2025

K.Manickam

Petitioner

Vs

1. The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
3/137, Salamedu, Villupuram-605 602

2. The General Manager
Tamil Nadu State Transport
Corporation, (Villupuram) Ltd,
Vellore Region, Rangapuram,
Vellore -632 009

3. The Administrator,
Tamil Nadu State Transport
Corporation, Employees Pension Fund
Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002

Respondents

PRAYER Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to disburse the difference in Leave Encashment benefits to the petitioner with interest at the rate of 8 percentage p.a., and further direct the respondents to pay interest for the



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belated disbursement of the difference in Gratuity amount and pension Commutation amount at the rate of 8 percentage per annum from the date of entitlement of till the date of actual disbursement within a time limit to be stipulated by this Hon'ble Court.

For Petitioner Mr.P. Manoj Kumar

For Respondents Mrs.S.Pavithra, Standing Counsel
for R.1 and R.2.

ORDER

This Writ Petition has been filed for a direction directing the respondents to disburse the difference in Leave Encashment benefits to the petitioner with interest at the rate of 8 percentage p.a., and further direct the respondents to pay interest for the belated disbursement of the difference in Gratuity amount and pension Commutation amount at the rate of 8 percentage per annum from the date of entitlement till the date of actual disbursement within a time limit to be stipulated by this Hon'ble Court.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner joined the service of the respondent corporation as a Junior Tradesman on 06.02.1980 and retired on 31.12.2010. As per Section 12(3) of the Industrial Disputes Act, a settlement was entered into between the



Management and the Union, resulting in a revision of the pay scale with effect from 01.09.2010. Since the petitioner retired on 31.12.2010, he was entitled to get the retirement benefits as per the revised pay scale. However, the 2nd respondent calculated his retirement benefits on the basis of pre-revised pay scale.

4. Aggrieved by the wrong calculation done by the 2nd respondent, the petitioner filed WP.No.30739 of 2018. This Court by order dated 04.12.2018 directed the respondents to pay the retirement benefits to the petitioner with interest at the rate of 6% per annum. Pursuant to the said order, the respondents only paid the differential Gratuity amount of Rs.77,023/- on 20.04.2019, however, the interest for the belated payment has not been paid. That apart, the differential Leave Encashment benefit arising out of the wage settlement has not been paid till date. Further, though the petitioner retired from service on 31.12.2010, his Pension Commutation amount was disbursed only on 20.06.2012. Therefore, the petitioner is entitled to the differential Leave Encashment benefit, along with interest, as per the revised pay scale. The petitioner is also entitled to interest on the belated payment of both the differential Gratuity amount and the Pension Commutation amount.



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5. In view of the above, the respondents are directed to disburse the differential Leave Encashment benefit to the petitioner, together with interest at the rate of 6% per annum from the date of entitlement till the date of actual disbursement. The respondents are further directed to pay interest at the rate of 6% per annum on the belated payment of the differential Gratuity amount and the Pension Commutation amount, from the respective dates of entitlement till the dates of disbursement. The above exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

29-10-2025

shr

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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