



WEB COPY



W.P.No.43895 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.43895 of 2025

S.Marimuthu

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 43
2. The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode – 638 001.
3. The Administrator,
Tamil Nadu State Transport Corporation EPF Trust,
Thiruvalluvar House, Anna Salai,
Chennai – 2.

... Respondents

Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Mandamus, directing the respondents to pay the difference/arrears of wages for the period from 01.09.2006 i.e. from date of the effect of the settlement dated 15.07.2008 and also to pay terminal benefits



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namely gratuity, encashment of leave, provident fund, pension arrears and to revise pension on the basis of 12(3) settlement dated 15.07.2008 along with 12% interest per annum within a time frame as may be fixed by this Court.

For Petitioner : Mr.N.Palani Kumar

For Respondents : Mr.M.Murali Vinoth,
Standing Counsel (for R1 & R2)
Mr.C.S.K.Sathish,
Standing Counsel (for R3)

ORDER

This Writ Petition has been filed for direction directing the respondents to pay the difference/arrears of wages for the period from 01.09.2006 i.e. from date of the effect of the settlement dated 15.07.2008 and also to pay terminal benefits namely gratuity, encashment of leave, provident fund, pension arrears and to revise pension on the basis of 12(3) settlement dated 15.07.2008 along with 12% interest per annum within a time frame as may be fixed by this Court.

2. Heard the learned counsel for both sides and perused the materials available on record.



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3. The petitioner was working as a Superintendent in the first respondent Corporation and retired from service on 30.06.2008, on attaining the age of superannuation.

4. A settlement was entered into between the Union and the Management on 15.07.2008. But it was made applicable with effect from 01.09.2006. Therefore, the petitioner was also entitled to the benefit under the said settlement, dated 15.07.2008. But his terminal benefits were settled without reference to the terms of the settlement. Therefore, the petitioner is entitled not only to the difference in benefits, but also interest thereon.

5. This stand of the petitioner cannot be disputed. Therefore, the respondents are directed to pay difference/arrears of wages and differential benefits in respect of gratuity, encashment of leave, provident fund, pension arrears and to revise pension as per the wage settlement dated 15.07.2008. Those amounts shall be paid within period of six weeks from the date of receipt of a copy of this order. The respondents have to make the differential payment with 6% interest per annum to be computed from the date of the



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petitioner's retirement till the date of payment.

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6. With the above said observations, this Writ Petition stands disposed of. No costs.

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Index: Yes/No
Neutral Citation/Yes/No
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G.K.ILANTHIRAIYAN, J.

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