



W.P.(MD).No.2080 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2025

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.2080 of 2025

R.Nagarajan

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corpn., (KMB) Ltd.,
New Railway Station Road,
Kumbakonam - 612001.

2. The General Manager,
Tamil Nadu State Transport Corpn., (KMB) Ltd.,
Karaikudi Region,
Managiri Post,
Maruthapatthi,
Karaikudi,
Sivagangai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to disburse the petitioners difference amount of Salary, Gratuity, Surrender Leave, Provident Fund, Pensions Arrears and to revise pensions on the basis of 12(3) Settlement dated 13.04.2015 along with 6% interest.



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For Petitioner : Mr.K.Gokul
For Respondent Nos.1 & 2 : Mr.K.Ramaiah
Standing Counsel
For Respondent No.3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The instant writ petition has been filed by a retired employee of the respondent transport corporation, seeking a mandamus for disbursing the terminal benefits arising out of the 12th wage settlement surrender under Section 12(3) of the Industrial Disputes Act, 1947.

2. According to the learned counsel appearing for the writ petitioner, the 12th wage settlement was came into effect on 01.09.2013 and implemented only on 13.04.2015. According to the petitioner, he is eligible to receive the said terminal benefits under 12th wage settlement dated 13.04.2015 and for revision of his pensionary benefits. The petitioner had attained superannuation on 30.05.2014. According to the petitioner, the benefits under the 12th wage settlement have not been conferred upon him. Therefore, the petitioner has sent a representation on 27.09.2024, seeking the said benefits. Since there is no response, the present writ petition has been filed.



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3. Considering the above said facts, the respondents herein are directed to release the eligible terminal benefits arising out of 12th wage settlement dated 13.04.2015 to the writ petitioner along with 6% from the due date till the date of his retirement within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above said observations, this writ petition is disposed of. No costs.

27.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
gvn

To

1. The Managing Director,
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New Railway Station Road,
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R.VIJAYAKUMAR, J.

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