



W.P.(MD)No.9271 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.9271 of 2025

M.Justin

... Petitioner

Vs.

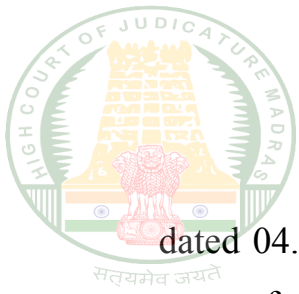
1. The Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Division,
Represented by its Managing Director,
Kattapomman Nagar,
V.M. Chathiram,
Tirunelveli

2. The Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Nagercoil Region,
Represented by its General Manager,
Ranithottam,
Nagercoil.

3. The Administrator,
Tamil Nadu State Transport Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai - 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondents to revise petitioners scale of pay w.e.f. 01.09.2016 based on the new wage settlement



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dated 04.01.2018 and consequently to pay the petitioner difference / arrears of wages for the period from 01.09.2016 to 30.04.2017 and also the difference in petitioners terminal benefits namely Gratuity, Encashment of Leave and difference / arrears of pension after revising the same based on such re-fixed scale of pay payable to petitioner on the month of the petitioners retirement, together with 18 percentage interest per annum and further directing the respondents to revise the petitioner's pension with effect from May, 2017 and pension commutation, based on such re-fixed scale of pay payable to the petitioner on the month of the petitioner's retirement and to pay the petitioner arrears of pension for the period from May, 2017 and pension commutation, together with 18% interest per annum within a time frame as may be fixed by this Court.

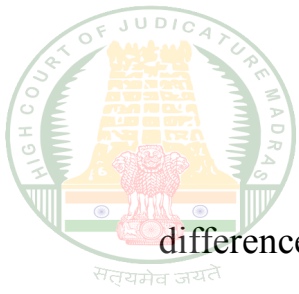
For Petitioner : Mr.R.Murgan

For R1 & R2 : Mr.D.Jebaraj
Standing Counsel

For R3 : Mr.S.C.Herold Singh

ORDER

This Writ Petition has been filed seeking a 1st Respondents to revise petitioners scale of pay w.e.f. 01.09.2016 based on the new wage settlement dated 04.01.2018 and consequently to pay the petitioner difference / arrears of wages for the period from 01.09.2016 to 30.04.2017 and also the difference in petitioners terminal benefits namely Gratuity, Encashment of Leave and



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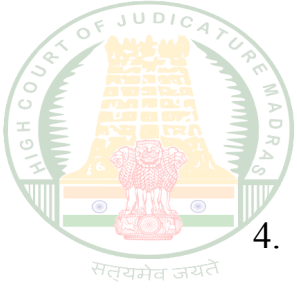
difference / arrears of pension after revising the same based on such re-fixed

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scale of pay payable to petitioner on the month of the petitioners retirement, together with 18 percentage interest per annum and further directing the respondents to revise the petitioner's pension with effect from May, 2017 and pension commutation, based on such re-fixed scale of pay payable to the petitioner on the month of the petitioner's retirement and to pay the petitioner arrears of pension for the period from May, 2017 and pension commutation, together with 18% interest per annum within a time frame as may be fixed by this Court.

2. The petitioner was appointed as Conductor in the respondent Corporation on 01.12.1997 and he retired from service on 30.04.2017. The learned counsel for the petitioner submits that the petitioner's terminal benefits was not settled immediately and there is an abnormal delay.

3. In view of the same, the only issue to be considered in this Writ Petition is with regard to interest payable on the belated settlement. This issue was dealt with by this Court on various occasions and this Court passed orders in several Writ Petitions. In fact, the issue involved in this writ petition is no longer *res-integra*.



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4. This Court in W.P(MD)No.4866 of 2023 (C.MuruganVs. the Tamil Nadu State Transport Corporation (Tirunelveli) Ltd., and Another) by order dated 07.03.2023 has decided this issue.

5. Accordingly, by following the order stated supra, this Writ Petition is allowed with the following direction:

The respondent shall pay interest to the petitioner at the rate of 6% per annum on the belated payment of the retirement benefits commencing from the date of retirement, till date of actual disbursement, within a period of three months from the date of receipt of a copy of this order.

There shall be no order as to costs.

03.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
GVN



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BATTU DEVANAND, J.

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