



W.P.(MD).No.17275 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.01.2025

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.17275 of 2023

S.Selvathiyagarajan

... Petitioner

Vs

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.

2. The General Manager
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3. The Administrator,
The Tamil Nadu Transport Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 02.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to pay his difference amounts in gratuity, leave salary and difference in pension with arrears based on such revised wages payable to the petitioner as on the date of his retirement that is 31.10.2017 in terms of the wage revision settlement under section 12(3) of I.D.Act dated 04.01.2018 along with interest at the rate of 6% per annum within a time frame as may be fixed by this Court.



W.P.(MD).No.17275 of 2023

For Petitioner : Mr.A.Rahul
For Respondents 1 & 2 : Mr.K.Ramaiah
Standing Counsel
For Respondents 3 : Mr.S.C.Herold Singh

ORDER

The instant writ petition has been filed by a retired employee seeking a mandamus to disburse the terminal benefits arising out of 12(3) wage settlement dated 04.01.2018.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner was working as Driver in the respondent Transport Corporation and he had attained superannuation on 31.10.2017. He further contended that the 12(3) Wage Settlement was arrived on 04.01.2018, and the pay of all Transport Corporation employees were revised retrospectively from 01.09.2016. The petitioner is eligible to receive benefits under the 12(3) wage settlement dated 04.01.2018, and he is eligible to receive the said benefits and for revision of his pensionary benefits.



W.P.(MD).No.17275 of 2023

WEB COPY

3.The petitioner has sent a representation to the said effect on 31.10.2020.

Since, there is no response from the respondents, the present writ petition has been filed.

4. Considering the above said facts, the respondent Transport Corporation is directed to disburse the eligible terminal benefits arising out of 12(3) wage settlement dated 04.01.2018 to the writ petitioner along with 6% interest from the due date till the date of disbursement within a period of twelve (12) weeks from the date of receipt of a receipt of a copy of this order.

5.With the above said observations, this writ petition stands disposed of.

No costs.

24.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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W.P.(MD).No.17275 of 2023

R.VIJAYAKUMAR, J.

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