



W.P.(MD)No.22366 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.22366 of 2025

P.Kandasamy

: Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Transport Department,
Secretariat,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Kumbakonam,
Thanjavur District.

3.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Trichy Region,
Periyamilaguparai,
Tiruchirappalli District.

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

: Respondents



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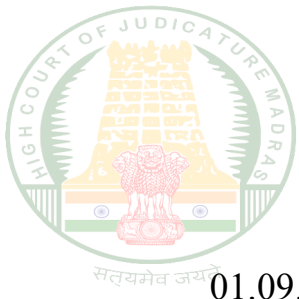
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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to implement the 14th Wage Settlement (Paarvai. C1/23053 of 2019) signed under section 12(3) of the I.D.Act dated 24.8.2022, and to re-calculate the retirement benefits of the petitioner such as difference amount of gratuity, leave salary, provident fund, commuted value of pension, revised pension for the period from 01.09.2019 to 31.05.2023 (date of retirement) pension arrears and other retirement benefits and consequently direct the respondents to pay the petitioner the difference amount of the same along with interest at the rate of 6% per annum within the time limit stipulated by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
For R-1 : Mr.S.R.A.Ramachandran,
Additional Government Pleader
For R-2 to R-4 : Mr.S.C.Herold Singh,
Standing Counsel

ORDER

This writ petition has been filed seeking a direction to the respondents herein to implement the 14th Wage Settlement (Paarvai. C1/23053 of 2019) signed under section 12(3) of the I.D.Act dated 24.08.2022, and to re-calculate the retirement benefits of the petitioner such as difference amount of gratuity, leave salary, provident fund, commuted value of pension, revised pension for the period from



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01.09.2019 to 31.05.2023 (date of retirement) pension arrears and other retirement benefits and consequently direct the respondents to pay the petitioner the difference amount of the same along with interest at the rate of 6 percent per annum within the time limit stipulated by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner joined the services of the respondent Transport Corporation on 05.06.1999 and retired upon attaining the age of superannuation on 31.05.2023. At the time of the 14th wage settlement, the petitioner was working as a Special Grade Driver as a permanent employee of the respondent Corporation and is, therefore, entitled to the benefits arising therefrom. Accordingly, the petitioner submitted a representation to the respondents on 02.05.2025, requesting recalculation of his retirement benefits, namely gratuity, leave salary, provident fund, and pension, based on the revised scales introduced under the 14th wage settlement dated 24.08.2022. He further requested payment of the differential amount along with applicable interest. However, no action



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has been taken by the respondents till date. Hence, the petitioner has been constrained to file the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the concerned respondent to consider the petitioner's representation dated 02.05.2025, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondent to consider the same on its own merits.



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6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes / No

NCC : Yes / No

TSG

To

1.The Secretary,
Government of Tamil Nadu,
Transport Department,
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Chennai - 600 009.

2.The Managing Director,
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M.DHANDAPANI, J.

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