



WP(MD)No.36297 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

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C.Daisy

...Petitioner

Vs

The Management of
Tamil Nadu State Transport Corporation (Thirunelveli) Ltd,
Nagercoil Region,
Represented by its General Manager,
Nagercoil.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to revise/ refix the scale of pay of the deceased husband of the petitioner/ employee (late) D.Prem Kumar, Staff No.T2C100232 w.e.f. 01.09.2023 to till his death, based on the wage settlement dated 29.05.2025 and consequently to pay her the difference / arrears of terminal benefits namely gratuity and encashment of leave, after revising the same based on such re-fixed scale of pay payable to him on the month of his death, together with 18% interest per annum, within a time frame as may be fixed by this court.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Ramaiah



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ORDER

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The petitioner's husband was working as a Senior Grade Conductor in the respondent transport corporation. After completion of 13 years of from service he died on 22.01.2024 while he was on service. The retirement benefits due to him were settled by the respondent on 25.08.2025. However, after his retirement, the 15th tripartite wage settlement under Section 12(3) of the Industrial Disputes Act was entered into between the Management and Trade Unions on 29.05.2025. As per Clause 1 of the terms of settlement, the Management has agreed to revise the wages of the employees who were in service as on 01.09.2023 by revising the pay by 6% of the earlier wages.

2.The period covered under this settlement is from 01.09.2023 to 31.08.2027 and therefore, the petitioner's husband, who was in service as on 01.09.2023 and died on 22.01.2024 is entitled for the benefits due to him as per the 15th wage settlement. Therefore, the petitioner has submitted a representation dated 10.11.2025 to the respondents. Alleging inaction, she has filed this writ petition seeking a mandamus directing the respondents to revise the wages with effect from 01.09.2023, based on



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the 15th wage settlement dated 29.05.2025 and to pay the arrears of wages payable from 01.09.2023 till the death of his death, difference in leave salary, gratuity, provident fund with interest.

3.Learned Counsel for the petitioner submitted that the petitioner's husband, who was in service as on 01.09.2023 is also entitled for the benefits as per the 15th wage settlement dated 29.05.2025. He is entitled for this enhanced wages of 6% with effect from 01.09.2023 till the date of his death and since the basic pay has been enhanced by 6%, the other retirement benefits also needs to be revised in accordance with 15th wage settlement. According to him, the revised pay and the other benefits have not been settled to the petitioner, despite her representation and therefore, the petitioner is constrained to file this writ petition.

4.Mr.K.Ramaiah, learned Standing Counsel takes notice for the respondents and submitted that as per the settlement u/s.12(3) of the Act dated 29.05.2025, the Management is expected to calculate the arrears of amount and can pay the amount on four quarterly installments. According to him, they would calculate the difference of pay, if any, due to the petitioner and it would be paid within a reasonable time.



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5.This Court paid it's anxious consideration to the rival submissions made on either side and perused the materials placed on record.

6.The 15th wage settlement under Section 12(3) of the Industrial Disputes Act was entered into between the Management and the Unions on 29.05.2025. As per Clause 1 of the terms of the settlement, the Management has agreed to revise the wages of the employees, who were in service as on 01.09.2023, by revising the pay by 6% of the earlier wages.

7.The petitioner's husband was in service as a permanent employee of the Transport Corporation as on 01.09.2023 and therefore, he is entitled for the benefits as per this 15th wage settlement. The petitioner's husband died on 22.01.2024 and he was paid with the retirement benefits as per the earlier pay scale. Since there is a revision of scale of pay by 6% on the basic pay, the petitioner is entitled for this differential pay scale from 01.09.2023 till the date of his death and the consequential retirement benefits as per the revised scale of pay.



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8.Clause 37(b) of this settlement dated 29.05.2025 enables the Management to pay the arrears of scale of pay from 01.09.2023 on four quarterly installments. This period is already over. For any delayed payment of retirement benefits, the employees are entitled for interest @ 6% per annum. Therefore, the arrears of salary and the differential retirement benefits due to the petitioner shall be paid together with 6% interest for the period beyond Clause 37(b) of the settlement dated 29.05.2025 till the realization.

9.Accordingly, this writ petition stands allowed with a direction to the respondent Transport Corporation to settle the difference of pay based on the revised scale of pay as per the 15th wage settlement dated 29.05.2025, together with the revised retirement benefits to the petitioner within a period of six months from the date of receipt of a copy of this order, with interest @ 6% per annum. The interest shall be calculated for the period beyond Clause 37(b) of the settlement dated 29.05.2025 till the date of actual payment. There shall be no order as to costs.

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DSK



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To

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The General Manager,
Tamil Nadu State Transport Corporation (Thirunelveli) Ltd,
Nagercoil Region, Nagercoil.



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B.PUGALENDHI.J.,

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