



WEB COPY

WP No. 11510 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11510 of 2026

Thangavelu (4285)
S/o.Ammasai Mudaliar

..Petitioner(s)

Vs

Tamil nadu Transport corporation (Coimbatore) Ltd.,
Rep by its The Managing Director,
No.37 Mettupalayam Road,
Coimbatore 43.

..Respondent(s)

This writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to pay him the arrears of difference in Gratuity to pay him arrears of difference in Earned Leave Salary and to pay him arrears of difference in wages from 01.09.2016 to the date of his retirement as per the 12(3) settlement as admitted by the respondent in their RTI reply, together with interest at the rate of 12% per annum within a specified time as may be fixed by this Hon'ble Court.

For Petitioner(s): Mr. R.Krishnasamy

For Respondent(s): M/s.Kavya,
Standing Counsel



ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondent to pay the arrears arising out of the difference in gratuity, arrears of earned leave salary and arrears of difference in wages from 01.09.2016 till the date of the retirement, in terms of the settlement under Section 12(3) of the Industrial Disputes Act.

2. The case of the petitioner is that he joined the respondent Corporation as a driver on 03.01.1992 and retired from service as Special Grade Driver on attaining the age of superannuation on 31.05.2017. A settlement under Section 12(3) of the Industrial Disputes Act was entered into on 04.01.2018 with effect from 01.09.2016, whereby the scale of pay and grade pay applicable to the post of Special Grade Driver were revised and fitted into the pay matrix and a 5% increase in basic pay was granted. Accordingly, the petitioner is entitled to the revised basic pay with effect from 01.09.2016. However, the respondent has not paid the consequential arrears arising out of such revision, including the difference in gratuity and earned leave encashment. In this regard, the petitioner made a representation dated 02.02.2026 requesting payment of the differential amounts along with interest. However, the same has not been considered by the respondent till date. Hence, the petitioner is before this Court.

3. Heard the learned Counsel on either side and perused the materials available on records.



4. Considering the limited request of the petitioner and taking note of the fact that the petitioner's representation has not been considered to date by the respondent, a mandamus, is therefore, issued to the respondent to pay the eligible differential sum of Gratuity and Leave Encashment benefits to the petitioner based on the Grade Pay revised with effect from 01.09.2016 as claimed for, from the said date of entitlement till the date of actual disbursement, along with 6% interest if any, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

26-03-2026

Index: Yes/No

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Speaking/Non-speaking order

Neutral Citation: Yes/No

MRP

To

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P.T.ASHA, J.

MRP

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