



WEB COPY

WP No. 12610 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

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

W.P. No. 12610 of 2026

J.Sekar (A23980)
S/o.D.Jayaraman,
No.11, Old No.6, pudupet,
Garden Lane, Royapettah,
Chennai - 600 014.

..Petitioner(s)

Vs

1. Metropolitan Transport Corporation Ltd.,
Rep. by its Managing Director,
No.2, pallavan salai,
chennai - 600 002.
2. The Administrator,
Tamilnadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to pay me arrears of difference in gratuity, arrears of difference in wages and arrears of difference in dearness allowance for the period from 01.09.2016 as per 12(3) settlement dated 04.01.2018 all together with 18 percentage interest per annum,



within a time frame as may be fixed by this Court, within a time frame as may be fixed by this Court.

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For Petitioner(s): Mr. R.Krishnasamy

For Respondent(s): Mr. R. Balaji

Standing Counsel for R1

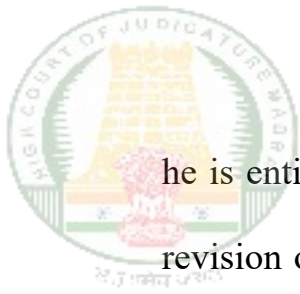
ORDER

The petitioner seeks issuance of a Writ of Mandamus directing the respondent to pay the arrears towards difference in gratuity, wages and dearness allowance for the period from 01.09.2016, in terms of the 12(3) Settlement dated 04.01.2018, together with interest at the rate of 18% per annum.

2. The brief facts giving rise to the filing of the present Writ Petition are as follows:-

2.1. The petitioner joined the services of the first respondent Corporation as a Conductor on 18.05.1989. At the time of his retirement on 30.11.2016, he was serving as a Non-ITI Helper.

2.2. Subsequently, on 04.01.2018, a 12(3) Settlement was entered into between the workmen and the Management, which was given effect from 01.09.2016 in respect of all categories of workman. According to the petitioner,



he is entitled to revision of pay with effect from 01.09.2016 and consequential revision of terminal benefits based on such revised pay. However, the gratuity, dearness allowance and wages of the petitioner were calculated and paid only on the basis of the pre-revised scale. Therefore, the petitioner made a representation to the respondent on 21.02.2026. However, the said representation has not been considered till date. Therefore, the petitioner has approached this Court.

3. Heard the rival submissions made by the learned counsel appearing for both the parties and perused the materials on record.

4. The records reveal that the workmen and the Management had entered into a 12(3) Settlement, and s per the 13th Wage Settlement, the basic pay of all categories of workmen stood revised with effect from 01.09.2016. On the date of the settlement, the petitioner had retired. However, the Settlement was be given effect to from 01.09.2016 at which point of time, the petitioner was very much in the services of the respondents. Though the petitioner had retired on 30.11.2016, the Settlement having been given retrospective effect from 01.09.2016, the petitioner was in service as on the effective date of revision and is therefore entitled to be considered for the revised scale of pay.



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However, the petitioner's representation in this regard has not been considered by the respondents. In such circumstances, this Court is inclined to issue a direction. Accordingly, a Writ of Mandamus is issued to the first respondent to consider the representation of the petitioner dated 21.02.2026 and if found eligible, to pay the difference in gratuity, dearness allowance, and wages in terms of the 12(3) Settlement dated 04.01.2018, together with interest at the rate of 6% per annum, within a period of six (6) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs.

06-04-2026

Asi

To

1. MetropolitAn Transport Corporation Ltd.,
Rep. by its Managing Director,
No.2, Pallavan Salai, Chennai - 600 002.
2. The Administrator,
Tamilnadu State Transport Employees
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai - 600 002.



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