



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

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

WP No. 21824 of 2026

WEB COPY

G.Dennis Nelson
Plot No. 2046 TNHB,
Ayapakkam, Chennai 77

..Petitioner(s)

Vs

1. The Managing Director
Metropolitan Transport corporation
(Chennai) Ltd.,
2 Pallavan Illam,
Anna Salai Chennai 02
2. The Administrator
Tamil nadu State Transport corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 02

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to revise petitioners pension by fixing basic on the date retirement by taking note of notional annual increment and review benefits for the non employment period from 22.09.2008 to 27.12.2018 as per 12(3) settlements dated 22.01.2011, 13.04.2015 and 4.01.2018 and to pay leave salary amount with 10 percent interest.



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For Petitioner(s): Mr.S.T.Varadarajalu

For Respondent(s): Mr.A.Vinothraj
Standing Counsel**Order**

This writ petition is filed for direction to the respondents to revise the petitioner's pension by fixing the basic pay on the date of retirement by taking note of notional annual increment and revision benefits for the non-employment period from 22.09.2008 to 27.12.2018 as per the 12(3) settlements dated 22.01.2011, 13.04.2015 and 04.01.2018 and to pay the leave salary amount with 10 percent interest.

2. The petitioner had joined the respondent-Transport Corporation as a Conductor on 21.10.1990 and rendered nearly 29 years of service. He was dismissed from service on 22.09.2008 during the pendency of an industrial dispute without obtaining approval under Section 33(2)(b) of the Industrial Disputes Act, 1947. The approval petition filed by the respondent in A.P. No.563 of 2011 was dismissed on 25.07.2013. Consequently, the petitioner became entitled to reinstatement with continuity of service.



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3. Pursuant to the subsequent proceedings, the petitioner was reinstated on 27.12.2018 with continuity of service and 25% back wages. He retired from service on 30.06.2019. Though the pensionary benefits were settled, the respondent had not taken into account the petitioner's entire qualifying service for the purpose of pension. Therefore, the petitioner submitted a representation on 12.06.2023 seeking revision of pension and refund of the amount deducted towards an unimplemented punishment. Thereafter, pursuant to orders passed in W.P. No.20990 of 2023, the respondent had revised the pension by taking into account the entire service and paid pension arrears.

4. The grievance of the petitioner is that, after reinstatement, the respondent did not fix his pay by taking into account the annual increments and revision benefits, resulting in a reduction of his last drawn wages and consequential pensionary benefits. Despite repeated representations, no action has been taken by the respondents. Hence, the petitioner is before this Court.



5. Heard the learned counsel on both sides and perused the materials available on record.

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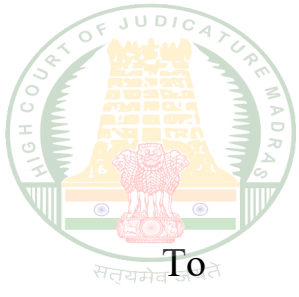
6. Considering the above facts and circumstances, the respondents are directed to revise the pension by fixing the basic pay on the date of retirement by taking note of annual increments and revision benefits for the non employment period from 22.09.2008 to 27.12.2018 as per the 12(3) settlements dated 22.01.2011, 13.04.2015 and 04.01.2018 and to pay the applicable leave salary amount with 6% percent interest within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

16-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRN



To

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2 Pallavan Illam,
Anna Salai Chennai 02
2. The Administrator
Tamil Nadu State Transport corporation Employees Pension Fund
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Thiruvalluvar Illam,
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P.T.ASHA J.

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