BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.14775 of 2026

G.Nedumaran ... Petitioner

-vs-

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited
rep.by its Managing Director
New Railway Station Road
Kumbakonam, Thanjavur District

2.The General Manager
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited
Trichy Region, Tiruchirapalli

3.The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai, Chennai-600 002 ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to grant the annual increment to the petitioner for the service rendered by him for the period from 01.01.2023 to 31.12.2023 and consequently directing the respondents to re-fix the petitioner's last drawn pay, revise all his retirement benefits, including pension, gratuity and leave salary, based on the re-fixed pay and disburse the arrears arising there from with interest at a rate of 18% per annum from the date of retirement till the date of actual payment.

For Petitioner : Mr.D.Sivaraman

For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The petitioner herein, who worked as Junior Engineer in the respondent – Transport Corporation, voluntarily retired from service on the afternoon of 31.12.2023. It is the case of the petitioner that the annual increments were due to him on 31st December of every year and accordingly, the petitioner was released the annual increments on 1st January of every year. But, the annual increment that was earned by the petitioner on 31.12.2023, has not been released while fixing the terminal benefits of the petitioner, on the ground that the petitioner was not in service as on 01.01.2024. Aggrieved by the same, the petitioner claimed to have submitted a representation dated 04.07.2024 before the respondents ventilating his grievance. As there was no action on the said representation, the petitioner claimed to have submitted yet another representation on 27.09.2025 and since the respondents have not responded for the said representation, the petitioner has filed the present writ petition.

2. Learned counsel for the petitioner contended that as the petitioner has retired from service voluntarily on a date preceding to the due date of annual increment that was supposed to be released, he is entitled for release of the annual increment in terms of the orders issued by the Government *vide* G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014. He also further submitted that the said Government Order was adopted by the respondent – Transport Corporation in its 236th Board Meeting conducted on 24.03.2015. He also further contended that the very same issue fell for consideration before the Principal Seat of this Court in W.P.No.39194 of 2015 and this Court, by an order dated 28.10.2024, considered the same issue and granted the relief to the similarly situated person.

3. On the other hand, learned Standing Counsel appearing for the respondents contended that the annual increment that was fell due to the petitioner on 01.01.2024 would ultimately be paid only on 31.01.2024 and as the petitioner was not in service on 31.01.2024, the question of release of annual increment in favour of the petitioner does not arise. Insofar as the orders issued in G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014, is concerned, there is no dispute about the applicability of the said Government Order to the respondent – Transport Corporation herein.

4. This Court has carefully considered the submissions made on either side and also perused the entire materials on record.

5. As there is no dispute on the factual aspects of the matter, this Court is inclined to dispose of this writ petition at the admission stage itself without inviting the counter-affidavit from the respondents.

6. As seen from the copy of the Service Register of the petitioner, it is evident that the petitioner was released annual increments on 1st January, 2021, 1st January, 2022 and 1st January, 2023, as the said annual increments were earned by the petitioner by 31st December of every year. The petitioner has admittedly retired from service voluntarily on 31.12.2023, by which date, the petitioner has completed one year of service, thereby making him eligible for award of annual increment. As the orders issued in G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014, have been adopted by the respondent – Transport Corporation, in terms of the said Government Order, the government servants, who retired from service on attaining the age of superannuation on the preceding date of the annual increment's due date, are eligible for release of such benefits, while fixing their terminal benefits. Therefore, the respondents, in all fairness, ought to have extended the said benefit to the petitioner while fixing his terminal benefits on 31.12.2023, the date on which he retired from service voluntarily.

7. Be that as it may, the very same issue fell for consideration before the Honourable Apex Court in the case of ***The Director (Admn. And Hr) KPTCL vs. C.P.Mundinamani***, in Civil Appeal No.2471 of 2023 and the Honourable Apex Court, by an order dated 11.04.2023, has held as under:

> *"21. In view of the above and for the reasons stated above, the Division Bench of the High Court has rightly directed the appellants to grant one annual increment which the original writ petitioners earned on the last day of their service for rendering their services preceding one year from the date of retirement with good behaviour and efficiently. We are in complete agreement with the view taken by the Division Bench of the High Court. Under the circumstances, the present appeal deserves to be dismissed and is accordingly dismissed. However, in the*

facts and circumstances of the case, there shall be no order as to costs."

8. The said decision of the Honourable Apex Court was followed by the Principal Seat of this Court in W.P.No.39194 of 2015 and this Court, by an order dated 28.10.2024, extended the identical relief to the petitioner therein. The relevant portion from the said order reads as under:

> *"This Court has carefully gone through the above decision of the Hon'ble Apex Court, and is fully convinced that the said decision has direct application to the case on hand.*
>
> *3. In the light of the law laid down by the Hon'ble Apex Court as above, even in the absence of G.O.Ms.No. 311 dated 30.12.2014, the petitioner is entitled for grant of increment that was due on 01.01.2014, as the petitioner has completed a full year of service on 31.12.2013 i.e., by the date of his superannuation.*
>
> *4. In the light of the above, the impugned order is quashed and the respondents are directed to grant one annual increment, that was due on 01.01.2014, to the petitioner and accordingly calculate all the consequential terminal and other benefits and pay to the petitioner together with arrears, if any. The entire exercise, as directed above, shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order."*

9. In the light of the above, the entitlement of the petitioner for release of annual increment, which he earned by 31.12.2023, cannot be denied.

10. Accordingly, this writ petition is allowed directing the respondents to release the annual increment, which the petitioner earned by 31.12.2023 and consequently, to re-fix his last drawn pay, revise all his retirement benefits, including pension, gratuity and leave salary, as expeditiously as possible and pay all the differential amounts to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. No costs.

09.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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