



WP(MD). No.16689 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.06.2026

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.16689 of 2026

V.Baskaran

... Petitioner

Vs

The Management of
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
Trichy Region,
Rep.by its General Manager,
Trichy.

... Respondent

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a WRIT OF MANDAMUS directing the respondent to revise/re-fix the scale of pay of the petitioner w.e.f. 01.09.16 to till his retirement, based on the wage settlement dated 04.01.18 and consequently to pay him 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 retirement, together with 18 percent interest per annum, within a time frame as may be fixed by this Court and thus render justice.

For Petitioner : Mr.S. Arunachalam
For Respondent : Mr.P.F.Ferlin Castro

ORDER

Heard the learned counsel on either side.



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2.The writ petitioner is retired employee of the respondent corporation. After the writ petitioner retired from service, wage settlement under Section 12(3) of the Industrial Dispute Act was entered between the unions on the one hand and the management on the other. The settlement dated 04.01.2018 came into effect on 01.09.2016. The question that arises for consideration is whether the writ petitioner can claim the benefit under the said wage settlement. The Government issued G.O.(Ms)No.142 Transport (E) Department, dated 26.08.2019 holding that the actual monetary benefits will be payable only from the date of government order. The learned standing counsel for the respondent contended that it is open to the management to fix the cut off date for disbursement of monetary benefits and it cannot be held to be arbitrary. In this regard, he relied on the decision reported in **AIR 2008 SC 1721 (Government of Andhra Pradesh Vs. N.Subbarayudu).**

3.The issue raised in this writ petition is no longer *res integra*. A learned Judge of this Court vide order dated 02.03.2023 made in W.P.(MD)Nos.1147 of 2020 etc batch had held that a government order cannot over-ride the statutory rules and the government order cannot deny the benefits conferred on the retired employees under the



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wage settlement. The factual matrix obtaining in these cases is absolutely similar.

4. Respectfully following the aforesaid decision, I direct the respondent to settle the difference in gratuity, encashment of leave salary, arrears of salary and arrears of pension in terms of the wage settlement dated 04.01.2018. The amounts payable to the writ petitioner shall be quantified appropriately and disbursed within a period of twelve weeks from the date of receipt of a copy of this order.

5. This writ petition is allowed accordingly. No costs.

18.06.2026

CM

TO
The Management Of,
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
Trichy Region,
Rep. by its General Manager,
Trichy.



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MUMMINENI SUDHEER KUMAR,J

CM

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