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W.A.(MD)NO.2013 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MRS.JUSTICE R.KALAIMATHI

W.A.(MD)No.2013 of 2021

V.Govindarajan

... Appellant / Petitioner

Vs.

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

... Respondent / Respondent

Prayer: Writ appeal filed under Clause 15 of Letters Patent, to set aside the order of this Court dated 16.12.2020 in W.P.(MD) No.10853 of 2013 dismissing the same and consequently allow the writ petition as prayed for.

For Appellant : Mr.S.Arunachalam

For Respondent : Mr.S.C.Herold Singh,
Standing counsel.

* * *

**J U D G M E N T****(Order of the Court was delivered by G.R.SWAMINATHAN, J.)**

Heard both sides.

2.The appellant was working as driver in the respondent Corporation. The management entered into a settlement with workmen for the period from 1998-2001. The settlement under Section 12(3) of the Industrial Disputes Act came into force with effect from 01.09.1998. It envisages conferment of a special increment for drivers who had an accident free record. The appellant was awarded safe driver award and a sum of Rs.900/- was awarded as cash price. The appellant's junior was getting higher pay. Hence, the petitioner sought stepping up his pay on par with the junior and also conferment of special increment. Since the management did not accede to the said request, the appellant filed Claim Petition No.76 of 1999. C.P.No.76 of 1999 was allowed vide order dated 27.06.2012. The management did not challenge the order passed by the Labour Court, Tiruchirappalli. The management was under the impression that the order passed by the Labour Court was applicable to one year (ie) from 01.09.1998 to 03.09.1999. The appellant retired from



service on 30.06.2011. The appellant was entitled to revised wages for the period from 04.09.1999 till the date when he reached the age superannuation. His pensionary benefits are also liable to be accordingly revised. The appellant through his counsel states that he would not press for any interest on the pensionary and retirement benefits and he insists interest for the arrears of wages.

3. The learned single Judge dismissed the writ petition filed by the appellant on the sole ground that the writ proceedings cannot be used for executing the order passed by the Labour Court and the same is executable by following the procedures set out in the Industrial Disputes Act. Though the reason given by the learned single Judge cannot be faulted, we are of the view that in the interest of justice, considering the undisputable facts obtaining in this case and in order to give effective justice, the respondent has to be directed to act in terms of the order passed by the Labour Court in C.P.No.76 of 99 dated 27.6.2012. We declare that the said order is applicable not only to the year in question but also to the subsequent years. The management will pay arrears of wages to the writ petitioner with effect from 04.09.1999 to 30.06.2011. The



management will refix the wages payable to the writ petitioner within a period of twelve weeks from the date of receipt of a copy of this order. This arrear amount will carry interest at 6% p.a. Likewise the pensionary and other retirement benefits shall be revised and the difference will have to be disbursed to the appellant. This amount will not carry any interest. This writ appeal is allowed, accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (R.KALAIMATHI, J.)
23rd February 2026

NCC : Yes / No
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