



WP(MD). No.13951 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 28/06/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.13951 of 2024

Rajendran

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Express Transport Corporation,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002..

2. The General Manager,
Tamil Nadu State Express Transport
Corporation, Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002..

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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respondents to settle the difference in petitioners terminal benefits namely gratuity, encashment of leave and all other attendant benefits if any based on the new wage settlement under section 12(3) of ID Act 1947 dated 24.08.2022 with revised pay matrix w.e.f. 01.09.2019 to on the date of the petitioner retirement (for the period from 01.09.2019 to 31.05.2022) payable to the petitioner with 6 percent rate of interest within the time that may be stipulated by this Court

For Petitioner : M/s. Ramakrishna Dass. Ns,
For Respondent : Mr.K.Senthilkumar for R1 and R2
Mr.SC.Herold Singh for R3

ORDER

Heard Mr.NS.Ramakrishna Dass, learned counsel appearing for the petitioner, Mr.K.Senthilkumar, learned Standing Counsel appearing for R1 and R2 and Mr.S.C.Herold Singh, learned Counsel appearing for R3.

2. The petitioner has filed this petition seeking to issue a Writ of Mandamus for a direction to the respondents to settle the difference in petitioner's terminal benefits namely gratuity, encashment of leave and all other attendant benefits if any based on the new wage settlement under section 12(3) of ID Act 1947 dated 24.08.2022 with revised pay matrix w.e.f. 01.09.2019 to on the date of the petitioner retirement (for



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the period from 01.09.2019 to 31.05.2022) payable to the petitioner with 6 percent rate of interest within the time that may be stipulated by this Court

3. The petitioner was appointed as a Tradesman in the respondent Corporation and after getting promotion to various stages, he was finally holding the post of Selection Grade Sr.Tradesman. While so, he retired on 31.05.2022 on attaining the age of superannuation.

4. A settlement was entered into between the Union and the Management on 24.08.2022. But, it was made applicable with effect from 01.09.2019. Therefore, the petitioner was also entitled to the benefit under the said settlement, dated 24.08.2022. But his terminal benefits were settled without any reference to the terms of the settlement. Therefore, the petitioner is entitled to not only the difference in benefits but also to the interest thereon.

5. This stand of the petitioner cannot be disputed. I therefore, direct the first respondent Corporation to pay arrears of wages and



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differential benefits in respect of Gratuity and Encashment of Leave as per wage settlement, dated 24.08.2022. This amount shall be paid within a period of six (6) months from the date of receipt of a copy of this order. The first respondent has to make the differential payment with interest at the rate of 6% per annum to be computed from the date of the petitioner's entitlement till the date of payment.

6. With the above observation, this Writ Petition is **disposed of.**

No costs.

28.06.2024

RR



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R.N.MANJULA,J

RR

**ORDER
IN
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Date : 28/06/2024