

W.A(MD) No.37 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 11.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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&

C.M.P.(MD)No.390 of 2024

- 1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.
- 3.The Administrator,
The Tamil Nadu Transport Corporation
Employees Provident Fund,
Thiruvalluvarillam,
Pallavansalai,
Chennai-600 002.

... Appellants / Respondents

Vs.

Vijaya Lakshmi

... Respondent / Writ Petitioner



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PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed in W.P.(MD)No.12629 of 2022, dated 16.08.2022.

For Appellants : Mr.S.C.Herold Singh

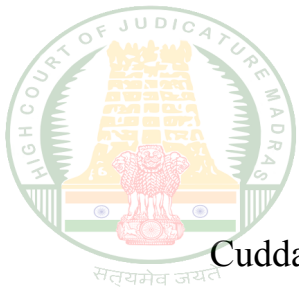
For Respondent : Mr.A.Rahul

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

TNSTC (Kumbakonam) Limited has filed this appeal challenging the order dated 16.08.2022 passed by the learned single Judge in W.P. (MD)No.12629 of 2022.

2. The said writ petition was filed by one Vijaya Lakshmi. Vijaya Lakshmi's husband Viswanathan was employed as conductor in the appellant corporation. His service was regularised on 01.06.1979. He was promoted as senior conductor with effect from 01.08.1985. On 22.04.1987, Viswanathan was dismissed from service. He raised industrial dispute and it was taken on file by the Labour Court,



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Cuddalore in I.D.No.226 of 1992. The award was passed on 13.02.2002.

The dismissal order was set aside and Viswanathan was ordered to be reinstated with backwages. The corporation challenged the award by filing W.P.No.44553 of 2002. The writ petition came to be dismissed on 06.03.2015. In the meanwhile, Viswanathan passed away in the year 2014. Challenging the order dated 06.03.2015 dismissing W.P.No.44553 of 2002, writ appeal was filed. The writ appeal was also dismissed. Thus, the award of the Labour Court became final. Even though the Labour Court's award attained finality, the Corporation did not sanction family pension. Hence, Vijaya Lakshmi filed W.P.(MD)No.12629 of 2022. The learned single Judge allowed the writ petition in the following terms:-

“4. When the award of the Labour Court has been confirmed by this Court and the respondent Corporation have not challenged the same, there is a duty cast on the respondents to forthwith settle the DCRG and family pension amount. Though the order of this Court was passed on 06.03.2015, seven years have lapsed and the benefits of the award are yet to be settled.

5. While the learned counsel for the petitioner submitted that only the backwages from the date of dismissal till the date of award has been settled and all other benefits are due, the learned Standing Counsel appearing for the respondent Corporation submitted that the last drawn wages under Section 17B of the



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Industrial Disputes Act, 1947 has been paid to the petitioner's husband.

6. The award of the Labour Court is to the effect that the petitioner's husband requires to be reinstated back into service along with the backwages. When such an award has been passed, the concerned employee is deemed to have been reverted back into service from the date on which he was dismissed from service and therefore, all the service and monetary benefits, which he would have from such date, would continue till his date of superannuation. In other words, the employee would also be entitled for continuity of service along with other benefits.

7. By taking into account of the fact that the award of the Labour Court has reached its finality and that the respondents have not settled the DCRG and pensionary benefits, this Court is of the view that the petitioner would be entitled for interest on the monetary benefits payable to her.

8. In the light of the above discussion, there shall be a direction to the respondents to forthwith disburse the entire DCRG benefits, pension and other family pensionary benefits, after adjusting all the payments that may have been made to the petitioner's husband / petitioner, including the last drawn wages under Section 17B of the Act, together with interest at the rate of 6% per annum from the date on which the amounts were due. Such orders for disbursement of the monetary benefits shall be made at least within a period of six (6) weeks from the date of receipt of a copy of this order.”



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3. We are of the view that the impugned order passed by the learned single Judge is rather consequential in nature. When the primary order has become final, no challenge can be mounted against the consequential order. We do not find any merit in the writ appeal. The Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.P., J.)
11.03.2026

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