



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.14037 of 2021

N.S.Ravishankar

...Petitioner

Vs

1. The Management of Tamil Nadu
State Transport Corporation (Salem) Limited,
Represented by its Managing Director,
Salem.
2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region,
Dharmapuri District.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to pay the interest to the petitioner at the rate of 12% per annum for the belated payment of Rs.13,12,095/- towards his retirement benefits namely Provident Fund and Gratuity from the date of the Petitioner's retirement i.e. on 31.07.2018 till the date of full settlement namely 21.09.2019 by considering his representation dated 15.06.2021.

For petitioner : Mr.J.Lawrence

For respondents : Mr.D.Raghu

ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.



2. This writ petition has been filed seeking for a Mandamus to the respondent / Transport Corporation directing them to pay interest at 12% per annum for the belated payment of a sum of Rs.13,12,095/- to the petitioner towards his retirement benefits viz., Provident Fund and Gratuity from the date of the petitioner's retirement i.e., on 31.07.2018 till the date of full settlement i.e. on 21.09.2019 by considering the petitioner's representation dated 15.06.2021, within a time frame to be fixed by this Court.

3. The case of the petitioner is that though his retirement benefits amounting to Rs.13,12,095/- was paid by the respondent / Transport Corporation but the same was paid belatedly and hence, he is entitled for interest at the rate of 12% p.a. for the delayed payment. He has given a representation on 15.06.2021 for the aforementioned purpose. Admittedly, the said representation has not been considered till date.

4. Heard Mr.J.Lawrance, learned counsel for the petitioner and Mr.D.Raghu, learned Standing Counsel accepts notice on behalf of the respondents.

5. No prejudice would be caused to the respondents, if the petitioner's representation, dated 15.06.2021 is considered on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the 2nd and 3rd respondents to consider the petitioners' representation, dated 15.06.2021 seeking for payment of interest at the rate of 12% p.a. for the belated payment of Rs.13,12,095/- towards his retirement benefits by the respondents and pass final orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsi2



To

1. The Management of Tamil Nadu State Transport Corporation (Salem) Limited, Represented by its Managing Director, Salem.
2. The General Manager, Tamil Nadu State Transport Corporation (Salem) Ltd., Dharmapuri Region, Dharmapuri District.
3. The Administrator, Tamil Nadu State Transport Corporation, Pension Fund Trust, Thiruvalluvar House, Pallavan Salai, Chennai - 600 002.

+1cc to Mr.J.Lawrence, Advocate, S.R.No.32620

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UM(CO)
BE(05/08/2021)