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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.9459 OF 2022

M.Elango

... Petitioner

.Vs.

1. The Managing Director,
The Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.05, Ramakrishna Road,
Salem - 636 007.
2. The General Manager,
The Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Dharmapuri Region,
Bharathipuram,
Dharmapuri District.
3. The Administrator,
The Tamil Nadu State Transport
Corporation, Employees Post
Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to disburse the payments relating to belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary, Commutation and other benefits likes, Social Welfare Scheme amount, EL Surrender Arrears, DA Arrears and IRT Share Amount and all other retirement benefits with interest at 12% per annum with effect from 01.05.2017 within the stipulated time fixed by this Court.



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For Petitioner : Mr.N.Desinghu
For RR1 & 2 : Mr.A.Sundaravadanan
Standing Counsel
For R3 : Mr.C.S.K.Sathish
Standing Counsel

O R D E R

"By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself".

2. This writ petition has been filed seeking a Writ of Mandamus, to direct the respondents to disburse the payments relating to belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary, Commutation and other benefits like, Social Welfare Scheme amount, EL Surrender Arrears, DA Arrears and IRT Share Amount and all other retirement benefits with interest at 12% per annum with effect from 01.05.2017 within the stipulated time fixed by this Court.

3. The case of the petitioner in brief:

The petitioner herein was working as Senior Grade Driver in the 2nd respondent corporation and he was retired from service after attaining the age of superannuation on 30.04.2017. After the retirement of the petitioner, the retirement benefits such as Provident Fund, Gratuity, Earned Leave Salary and Commutation amounts Amount have been paid belatedly without any interest. Further other benefits such as Social Welfare Scheme amount, Earned Leave Surrender arrears and IRT Share amount was not paid to the petitioner till date. Therefore, the petitioner made a representation on 17.02.2022 to the respondents for the payment of aforesaid retirement benefits with interest amount at 12% interest per annum with effect from 01.05.2017. But, the said representation is still pending, no orders has been passed. Hence, the petitioner filed this instant writ petition before this Court.

4. The learned Standing Counsels takes notice for the respondents would submit that the representation of the petitioner will be considered by the authorities concerned on merits and in accordance with law, within a time frame as fixed by this court.

5. Inview of the above submissions and also considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined direct the 1st respondent to



consider the petitioner's representation dated 17.02.2022 and pass appropriate orders on its own merits, in accordance with law, as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order.

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6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ata/mst

To

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+1cc to Mr.N.Desinghu, Advocate, S.R.No.26869

+1cc to Mr.A.Sundaravadanan, Advocate, S.R.No.26609

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SMI (CO)
PBS/06/05/2022