



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.10337 of 2022

A.Barakathulla

...Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.05, Ramakrishna Road,
Salem - 636 007.
2. The Administrator,
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 seeking to issue 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 and other benefits likes, Social Welfare Scheme amount, ERBS Pension Amount, EL Surrender Arrears 2009-2011, EL Surrender Arrears 2016-2017, 6 days salary and IRT Share Amount with effect from 01.07.2017 within the stipulated time fixed by this Court.

For Petitioner : Mr.N.Desinghu

For Respondents: Mr.D.Venkatachalam
Standing Counsel

ORDER

The relief sought for in the writ petition is for a Mandamus seeking direction to the respondents to disburse the payments relating to belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary and other benefits likes, Social Welfare Scheme amount, ERBS Pension Amount, EL Surrender



2. Heard the learned Counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

4.The learned counsel appearing for the petitioner submitted that, the respondents have settled the retirement benefits to the petitioner, without any interest and despite requests made by him, the respondents did not pay interest for the belated payment of retirement benefits. He has also relied on a decision of the Hon'ble Division Bench of this Court in W.A.(MD)No.383 to 457 of 2015, dated 12.06.2015, wherein the Hon'ble Division Bench of this Court has fixed the rate of interest at 6% per annum for the belated payment of retirement benefits, on the same line, orders may be issued in the present writ petition.

6. In view of the above submissions and with the consent of both parties, it is ordered as follows:

<https://hcservices.ecourts.gov.in/hcservices/>



ii) Insofar as the payment towards Social Welfare Scheme amount, ERBS Pension Amount, EL Surrender Arrears for the year 2009-2011, EL Surrender Arrears for the year 2016-2017, 6 days salary and IRT Share Amount are concerned, the respondents are directed to consider the representation of the petitioner and to pass orders, on its own merits, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

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

+1cc to Mr.N.Desinghu, Advocate, S.R.No.30543

+1cc to Mr.D.Venkatachalam, Advocate, S.R.No.28490

W.P.No.10337 of 2022

PA(CO)
RGA(27/05/2022)