



W.P. No.27462 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 14.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.27462 of 2022

R. Karmegavannan

...Petitioner

VS.

1. The State of Tamil Nadu rep. by
Its Principal Secretary,
Transport Department,
Fort. St. George,
Chennai – 9.

2. The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Chennai – 600 002.

3. Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
Rep. by its Administrator,
Thiruvallur Illam,
Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay interest at the rate of 6% per annum for the belated payment of leave salary, Provident Fund, gratuity and commutation as sought for his representation dated 26.09.2022.



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For petitioner : Mr.L. Chandrakumar
For respondents : Mr.P. Sathish
Addl.Govt. Pleader for R1
Mr.S. Sivasubramanian for R2 & R3

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.P.Sathish, learned Additional Government Pleader accepts notice for the 1st respondent and Mr.S.Sivasubramanian, learned counsel accepts notice for the 2nd and 3rd respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay interest at the rate of 6% per annum for the belated payment of leave salary, Provident Fund, gratuity and commutation to the petitioner based on his representation dated 26.09.2022, within a time frame to be fixed by this Court.

4. According to the petitioner his leave salary, Provident Fund, gratuity and commutation was paid belatedly. In such circumstances, he has given a representation on 26.09.2022 seeking for payment of interest at the rate of 6 percent per annum for the belated payment. Since the representation has not been considered, till date, he has filed this writ



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petition.

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5. Heard Mr.L.Chandrakumar, learned counsel for the petitioner, Mr.P.Sathish, learned Additional Government Pleader for the 1st respondent and Mr.S.Sivasubramanian, learned counsel for the 2nd and 3rd respondents.

6. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 26.09.2022 seeking for payment of interest at the rate of 6% per annum for the belated payment of leave salary, Provident Fund, gratuity and commutation to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition is disposed of.
No costs.

14.10.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order



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To :

1. The Principal Secretary,
State of Tamil Nadu
Transport Department,
Fort. St. George,
Chennai – 9.

2. The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Chennai – 600 002.

3. The Administrator,
Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
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ABDUL QUDDHOSE, J.

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