



WEB COPY



W.P.No.29999 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29999 of 2022

A.Azhagesan

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by Secretary to Government,
Food, Consumer Protection and
Co-operatives Department,
Fort St.George, Chennai-600 009.

2. The Managing Director, (Tamil Nadu Warehousing
Corporation)/Tamil Nadu Warehousing Corporation,
Employees Provident Fund Trust, Gunidy, Chennai-600032

.. 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 18%
interest on the belated payment of provident fund amount (Rs.13,20,994/-)
from 29.04.2019 till 07.06.2022.

For petitioner ... Mr.S.Selva Thirumurugan

For Respondents ... Mr.G.Ameedius
Govt.Advocate
For R.1
Mr.M.Indaran
AGP
For R.2



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ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay interest at the rate of 18% p.a for the delayed payment of provident fund amount of Rs.13,20,994/- to the petitioner.

2. Heard Mr.S.Selva Thirumurugan, the learned counsel for the petitioner and Mr.G.Ammeedius, learned Government Advocate accepts notice on behalf of the first respondent and Mr.M.Indaran, learned Additional Government Pleader accepts notice on behalf of the second respondent. By consent of the parties, the writ petition has been taken up for final disposal.

3. According to the petitioner, he has retired from service on 30.04.2019 and the provident fund amount payable to the petitioner amounting to Rs.13,20,994/- was paid to him by the respondents only on 07.06.2022. The petitioner seeks for interest for the belated payment.

4. Learned counsel for the petitioner now would submit that the



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petitioner will be satisfied if he is allowed to give a representation seeking for payment of interest for the delayed payment of provident fund amount and a direction is issued to the respondents to consider the representation on merits and in accordance with law within a time frame to be fixed by this Court.

5. No prejudice would be caused to the respondents if such a direction is issued by this Court.

6. For the foregoing reasons this Court directs the petitioner to submit a representation to the second respondent requesting for payment of interest at the rate of 18% p.a for the belated payment of provident fund amount i.e, Rs.13,20,994/- to him and on receipt of the said representation, the second respondent shall consider the same and pass orders on merits and in accordance with law within a period of eight weeks thereafter.



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ABDUL QUDDHOSE, J.

SR

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

11.11.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
SR

To

1. The Secretary to Government,
State of Tamil Nadu
Food, Consumer Protection and
Co-operatives Department,
Fort St.George, Chennai-600 009.
2. The Managing Director, (Tamil Nadu Warehousing
Corporation)/Tamil Nadu Warehousing Corporation,
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