



WEB COPY



W.P. No.32315 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.32315 of 2022

S. Sridhar

... Petitioner

Vs.

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan House,
Anna Salai,
Chennai – 600 002.

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House,
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 @ 4% for the belated payment of terminal benefits such as gratuity, leave salary, Commutation of pension amount and provident fund amount to the petitioner for the period from (31.01.2020) the date of retirement to till the date of settlement by following the order passed in W.A. (MD) Nos.383 to 457 of 2015, dated 12.06.2015.

For petitioner : Mr.V.S. Jagadeesan
For respondents : Mr.R. Balaji
Standing counsel for R1
Mr.C.S.K. Sathish for R2



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ORDER

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

2. Mr.R.Balaji, learned Standing counsel accepts notice for the 1st respondent and Mr.C.S.K. Sathish, learned counsel accepts notice for the 2nd respondent.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pass appropriate orders on the petitioner's representation dated 07.11.2022 seeking for payment of interest for the belated payments towards gratuity, leave salary, commutation of pension amount and provident fund amount.

4. The petitioner's grievance is that the respondents have paid the aforementioned amounts belatedly. In such circumstances, he has given a representation on 07.11.2022 seeking for payment of interest for the said belated payments. Since the representation has not been considered, he has filed this writ petition.

5. Heard Mr.V.S. Jagadeesan learned counsel for the petitioner; Mr.R.Balaji, learned Standing counsel appearing for the 1st respondent and



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Mr.C.S.K. Sathish, learned counsel appearing for the 2nd respondent. 6.

The learned counsel for the petitioner would now submit on instructions that the petitioner is willing to give a fresh representation as requested by the learned Standing counsel appearing for the 1st respondent. No prejudice would be caused to the respondents, if the representation of the petitioner seeking for payment of the interest 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 petitioner to submit a fresh representation to the 1st respondent seeking for payment of interest for the belated payments towards gratuity, leave salary, commutation of pension amount and provident fund amount, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the 1st respondent shall pass final orders on merits and in accordance with law, within a period of eight weeks, thereafter.

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

02.12.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

vsi2



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ABDUL QUDDHOSE, J.

vsi2

To :

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan House,
Anna Salai,
Chennai – 600 002.

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
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