



WEB COPY



W.P. No.34422 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.34422 of 2022

R.Rajendran

.. 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 Corporation
Employees' Pension Fund Trust,
rep. by its Administrator,
Thiruvalluvar 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 in his representation dated 24.11.2022, within a time to be stipulated by this Court.



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For Petitioner : Mr.L.Chandrakumar
For Respondents : Mr.Stalin Abimanyu,
Additional Government Pleader
for R1 and R3
Mr.S.Sivasubramani for R2

ORDER

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

2.Mr.Stalin Abimanyu, learned Additional Government Pleader accepts notice on behalf of R1 and R3 and Mr.S.Sivasubramani, learned Standing Counsel accepts notice on behalf of the second respondent.

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 as sought for in the petitioner's representation dated 24.11.2022, within a time frame to be stipulated by this Court.

4.The petitioner's grievance is that the respondents have paid the aforementioned amounts belatedly. In such circumstances, he has given



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a representation on 24.11.2022 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.L.Chandrakumar, learned counsel for the petitioner and Mr.Stalin Abimanyu, learned Additional Government Pleader for respondents 1 and 3 and Mr.S.Sivasubramani, learned Standing Counsel for the second 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 Additional Government Pleader appearing for the respondents 1 and 3.

7.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.



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8.For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondents seeking for payment of interest for the belated payment towards Leave Salary, Provident Fund, Gratuity and Commutation, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the respondents shall pass final orders, on merits and in accordance with law, within a period of eight weeks thereafter.

9.With the aforesaid direction, this writ petition is disposed of.

No costs.

23.12.2022

Index: Yes/No
vga



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ABDUL QUDDHOSE, J.

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