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W.P.No.971 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

Coram

The Honourable Mr. Justice **ABDUL QUDDHOSE**

Writ Petition No.971 of 2023

V.Gopala Krishnan

..... Petitioner

-Versus-

1.Tamil Nadu State Transport Corporation

(Villupuram) Ltd.,

Rep. by The Managing Director,

3/137, Salamedu,

Valudhareddy Post, Villupuram – 605602.

2.Tamil Nadu State Transport Corporation

(Villupuram) Ltd., Vellore Regional Office,

Rangapuram, Vellore 632 009.

3.The Administrator,

Tamil Nadu State Transport Corporation

Employees Pension Trust,

Thiruvalluvar House,

Pallavan Salai, Chennai 600002.

.... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest amounts to the Provident Fund, Service Gratuity, Leave Salary at the rate of 4% per annum for 29 months of delayed payment and for 14 months delay for the voluntary retirement compensation amount on lines with the order dated 12.06.2015 of the Division Bench of this Court made in W.A.(MD) Nos.383 to 457 of 2015 and as adopted in order dated 24.03.2021 in W.P.No.506 of 2021.

For Petitioner : Mr.N.Ishak

For Respondents : Mr.R.Venkatesa Perumal



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ORDER

The grievance of the petitioner in this writ petition is that he has been disbursed with the provident fund, gratuity and leave salary by the respondent/Transport Corporation belatedly. He has voluntarily retired from service and thereafter, the aforementioned amounts, according to him, were paid belatedly. In such circumstances, due to the delayed payment of the aforesaid sums, he has sought for interest by giving a representation on 16.12.2022. Since the representation has not been considered till date, he has filed this writ petition.

2. Heard Mr.N.Ishak, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned standing counsel, who accepts notice on behalf of the respondents.

3. On instructions, learned standing counsel for the respondent/Transport Corporation would submit that the petitioner's voluntary retirement was accepted by the respondent/Transport Corporation only on the condition that he will not claim interest for any belated payment of the retirement benefits. However, the same is disputed by the learned counsel for the petitioner.



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

5. For the foregoing reasons, this Court directs respondents 1 and 2 to pass final orders on merits and in accordance with law on the petitioner's representation dated 16.12.2022 seeking for payment of interest for the belated payment of retirement benefits within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this writ petition stands disposed of. No costs.

12.01.2023

Index : Yes / No
Neutral Citation : Yes / No
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To

1.The Managing Director,



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Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
3/137, Salamedu,
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