



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4018 of 2023

S.Krishna

Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.05, Ramakrishna Road,
Salem – 636007.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to disburse the payments relating to Provident Fund, Gratuity, Earned Leave Surrender, Commutation Social Welfare Scheme Amount, EL Surrender Arrears for the year of 2009 to 2011, EL Surrender Arrears for the year of 2016-2017, ERBS Pension Amount, IRT Share Amount, 7 days salary and 12(3) wage settlement arrears along with interest at 12% per annum with effect from 01.07.2022.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja
Standing Counsel



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ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the representation made by the petitioner wherein, the petitioner is seeking for settlement of his terminal benefits with interest.

2.Heard Mr.N.Desinghu, learned counsel appearing on behalf of the petitioner and Mr.K.Raja, learned Standing Counsel appearing on behalf of the respondents.

3.The case of the petitioner is that he joined as a Conductor in the respondent Corporation in the year 1990. Ultimately, he retired from service on reaching the age of superannuation on 30.06.2022. The grievance of the petitioner is that none of the terminal benefits has been settled till date. Repeated representations were given in this regard and the same did not evoke any response. Left with no other option, the present writ petition has been filed before this Court.

4.The issue that is involved in the present case is covered by the earlier order passed by this Court and the said order has been consistently followed in



all cases. This Court is consistently passing orders by granting interest at the rate of 4% wherever there is a delay in the settlement of the terminal benefits.

The same yardstick can be applied to the facts of the present case also.

5. In view of the above, there shall be a direction to the respondents to pay interest at the rate of 4% per annum for the belated settlement of the terminal benefits and such payment shall be made to the petitioner, within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondents along with all the relevant documents and also a copy of this order.

6. In the result, this writ petition is allowed with the above direction. No Costs.

13.02.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR



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N. ANAND VENKATESH, J.

SSR

To

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Salem – 636007.
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