



W.P.No.3655 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.3655 of 2023

Mohan

... Petitioner

vs.

1.The Government of Tamil Nadu,
Rep. by the Secretary,
Transport Department, Secretariat,
St.George Fort, Chennai – 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishnan Road,
Salem – 636 007.

3.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region, Bharathipuram,
Dharmapuri – 636 705.

4.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 settle



W.P.No.3655 of 2023

the petitioner's retirement benefits including Provident Fund, Gratuity, Commutation, IRT, Labour Welfare, EL and ML surrender, Private affairs, DA arrears and other benefits with interest payable from the date of retirement based on the petitioner's representation dated 23.12.2021.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.K.Raja

Standing Counsel

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents Transport Corporation to settle the retirement benefits to the petitioner from the date of his retirement along with interest based on the representation made by the petitioner on 23.12.2021.

2.Heard Mr.M.Selvam, 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 in the service of the second respondent Corporation in the year 1991 and retired from service on 18.10.2021. The grievance of the petitioner is that his retirement



W.P.No.3655 of 2023

benefits have not been settled till date and hence, he made representation on 23.12.2021 seeking for the settlement of the retirement benefits. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

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 settle the retirement benefits along with 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.



W.P.No.3655 of 2023

WEB COPY

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

09.02.2023

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

To

- 1.The Secretary,
Transport Department,
Government of Tamil Nadu,
Secretariat,
St.George Fort, Chennai – 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishnan Road,
Salem – 636 007.
- 3.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region, Bharathipuram,
Dharmapuri – 636 705.
- 4.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.



WEB COPY



W.P.No.3655 of 2023

N. ANAND VENKATESH, J.

sp

W.P.No.3655 of 2023

09.02.2023