



WEB COPY



W.P.Nos.10104 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM

**THE HON'BLE JUSTICE MRS.V.BHAVANI SUBBAROYAN**

W.P.Nos. 10104 of 2023

P.Sugumar

... Petitioner

Versus

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

2.The General Manger,  
Tamil Nadu State Transport Corporation (Salem) Limited,  
Dharmapuri Region,  
Bharathipuram,  
Dharmapuri District.

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

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, prays to issue a Writ of Mandamus, directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Leave Salary and Commutation amounts and others benefits likes, Social Welfare Fund, Arrears of Earned Leave Surrender 2009-2011 and 2017-2018



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VRS Compensation amount, ERBS Pension, 12(3) Settlement and IRT Share Amount with effect from 16.03.2021 within the stipulated time by this Court.

For Petitioner : Mr.N.Desinghu  
For Respondent 1&2 : Mr.K.Raja  
Standing Counsel  
  
For Respondent 3 : Mr.C.S.K.Sathish  
Standing Counsel

### **ORDER**

This writ petition has been filed to direct the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Leave Salary and Commutation amounts and others benefits likes, Social Welfare Fund, Arrears of Earned Leave Surrender 2009-2011 and 2017-2018 VRS Compensation amount, ERBS Pension, 12(3) Settlement and IRT Share Amount with effect from 16.03.2021.

2. The learned Counsel for the petitioner would submit that initially the petitioner joined as a Technical Assistant in the erstwhile Anna Transport Corporation now renamed as Tamil Nadu State Transport Corporation(Salem) Ltd and retired from service under VRS on 16.03.2021.



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At the time of retirement, the petitioner was serving as 'Senior Grade Tradesman' in the Salem Depot of the 1<sup>st</sup> respondent corporation and he was drawing a basic pay of Rs.50,400/-. He would further submit that after his retirement, the terminal benefits like Provident fund, Gratuity, Leave Salary and Commutation amounts were paid belatedly on 01.12.2022. Hence, the petitioner is eligible for interest amount for belated payment of retirement benefits, which was not settled till date. He would also submit that due to non disbursement of belated payment of interest amount, the petitioner made a representation on 14.09.2021, 15.07.2022 and 01.03.2023 to the respondent Corporation. However, since no action was taken on the part of the respondent Corporation till date, the petitioner is constrained to file this Writ Petition before this Court. He would further submit that the petitioner is entitled to get interest for the belated payment of Provident Fund, Gratuity, Leave Salary and Commutation amounts and others benefits likes, Social Welfare Fund, Arrears of Earned Leave Surrender 2009-2011 and 2017-2018 VRS Compensation amount, ERBS Pension, 12(3) Settlement and IRT Share Amount with effect from 16.03.2021. Hence, he seeks direction to the respondents corporation.



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3. The learned Standing Counsels appearing for the respondents Corporation submitted that the representation given by the petitioner would be considered by the authorities concerned and appropriate orders would be passed on its own merits.

4. Heard the learned counsel for the petitioner and the learned Standing Counsels for the respondents corporation.

5. In view of the above facts and circumstances of the case, the 2<sup>nd</sup> respondent Corporation is directed to consider the petitioner's representation dated 14.09.2021, 15.07.2022 and 01.03.2023 and pass appropriate orders on its own merits and in accordance with law, as early as possible, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

**31.03.2023**  
(1/3)

Index: Yes/ No  
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**V.BHAVANI SUBBAROYAN, J.**

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