



W.P.No.17398 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.17398 of 2023

S.Rajasekar

... Petitioner

Vs.

1.Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Represented by
The Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram - 605 602.

2.Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Represented by
The General Manager,
Vellore Regional Office,
Rangapuram,
Vellore - 632 009.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

... Respondents



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Prayer: 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 belatedly paid Provident Fund, Service Gratuity and Leave Salary at the rate of 4% per annum for 22 months of delayed payment on lines with the order dated 24.03.2021 made in W.P.No.506 of 2021.

For Petitioner	: Mr. N.Ishak
For Respondents	:
For R1 & R2	: Mr. R.Venkatesh Perumal Standing Counsel
For R3	: Mr.C.S.K.Sathish Standing Counsel

ORDER

The petitioner seeks issuance of a Writ of Mandamus, to direct the respondents to pay interest on the belated payment of Provident Fund, Service Gratuity and Leave Salary at the rate of 4% per annum for 22 months, in line with the order dated 24.03.2021 made in W.P.No.506 of 2021.

2. The petitioner's case is that on his voluntary retirement, the retirement benefits ought to have been settled by the respondents in May 2021 itself. However, the benefits were settled only in March 2023 after a lapse of 22 months.



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3. It is for the payment of interest for such delayed period, the petitioner has filed the present writ petition.

4. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

5. At the outset, it is represented by Mr.C.S.K.Sathish, learned Standing Counsel appearing for the third respondent that the third respondent is in no way concerned with the disbursal of the benefits and at best, it would be the first and second respondents, who would be responsible for the same. He would therefore submit that though a general prayer of Mandamus is sought for against all the respondents, the relief can be granted only against the first and second respondents.

6. The learned counsel for the petitioner has also invited to the attention of this Court to the order in W.P.No.14240 of 2023 dated 01.06.2023 where, this Court has directed the first respondent to pay interest at the rate of 4% per annum for the belated payment/settlement of Terminal Benefits from the date of superannuation till the date of actual payment.



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7. The learned Standing Counsel for the first and second respondents would also fairly submit that similar direction can be issued in the present writ petition also.

8. Recording the same and in view of the facts and submissions set out herein above, the second respondent is directed to pay interest at the rate of 4% per annum on the belated payment of Provident Fund, Service Gratuity and Leave Salary, for the period beginning the date of superannuation and ending the date of actual payment, within a period of six weeks from the date of receipt of a copy of this order.

9. With the above direction, this Writ Petition is disposed of. No costs.

13.06.2023

Index : Yes / No

Internet : Yes / No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes / No

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- To
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Tamil Nadu State Transport
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P.B.BALAJI, J.

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