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W.P.No.17440 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.17440 of 2023

C.Krishnamurthy

... Petitioner

Vs.

Tamil Nadu State Transport Corporation (Salem)
Limited,

Represented by its Managing Director,
No.12, Ramakrishna Salai,
Salem District - 636 007.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to settle a sum of Rs.3,06,358/- towards 6% interest the belated settlement of terminal benefits, Rs.24,239/- towards surrender of 15 days Earned Leave every year from 2009 to 2012 and Rs.49,276/- towards surrender of 30 days Earned Leave during July 2018 and altogether a sum of Rs.3,79,873/- with 6% interest for the surrender of Earned Leave to the petitioner herein by considering the petitioner's representation dated 23.02.2023.

For Petitioner : Mr. D.Soundar Raj

For Respondent : Mr. K.Raja
Standing Counsel



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ORDER

The petitioner seeks issuance of a Writ of Mandamus, to direct the respondent to settle a sum of Rs.3,06,358/- towards 6% interest on the belated settlement of terminal benefits, Rs.24,239/- towards surrender of 15 days Earned Leave every year from 2009 to 2012 and Rs.49,276/- towards surrender of 30 days Earned Leave during July 2018, altogether a sum of Rs.3,79,873/- with 6% interest for the surrender of Earned Leave to the petitioner herein by considering the petitioner's representation dated 23.02.2023.

2. The petitioner's case is that on his voluntary retirement, the retirement benefits ought to have been settled by the respondent in September 2020 itself. However, the benefits were settled only in December 2022 after a lapse of 16 months.

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



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

Counsel for the respondent.

5. 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.

6. The learned Standing Counsel for the respondent would also fairly submit that similar direction can be issued in the present writ petition also.

7. Recording the same and in view of the facts and submissions set out herein above, the respondent is directed to pay interest at the rate of 4% per annum on the belated payment of Terminal Benefits, 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.

P.B.BALAJI, J.



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8. 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

The Managing Director,
Tamil Nadu State Transport Corporation (Salem)
Limited,
No.12, Ramakrishna Salai,
Salem District - 636 007.

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