



WEB COPY



WP.No.24115 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.24115 of 2023

K.Balasubramani

.. Petitioner

Versus

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

2.The General Manager
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 Trust
Thiruvalluvar House
Pallavan Salai, Chennai – 600 002

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation and Earned Leave Salary and other benefits Arrears Earned Leave Surrender for the the year of 2009-2011 & 2016-2018, ERBS Pension Amount, 7 days salary 12(3) Settlement Arrears and IRT Share amount with effect from 01.04.2020.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja for R1 & R2
Mr.C.S.K.Sathish for R3



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ORDER

This Writ Petition has been filed seeking to direct the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation and Earned Leave Salary and other benefits Arrears Earned Leave Surrender for the the year of 2009-2011 & 2016-2018, ERBS Pension Amount, 7 days salary 12(3) Settlement Arrears and IRT Share amount with effect from 01.04.2020.

2. It is the case of the writ petitioner that he had joined in the respondent Corporation on 25.07.1985 as Technical Assistant and had retired from his service on 31.03.2020. It is the grievance of the writ petitioner that the respondents paid the retirement benefits such as Provident Fund, Gratuity, Commutation and Earned Leave Salary and other benefits Arrears Earned Leave Surrender for the the year of 2009-2011 & 2016-2018, ERBS Pension Amount, 7 days salary 12(3) Settlement Arrears and IRT Share amount belatedly without any interest. Hence, he made a representation on 17.07.2023 requesting the respondents to pay interest for belated payments and other unsettled terminal benefits and the same has not been considered. Hence, this writ petition.

3. It is the contention of the learned counsel for the petitioner that though



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certain retirement benefits have been paid and the same have been paid belatedly and still other the terminal benefits have not been paid. The retirement benefits have not been paid on time, which is the last source of income to the retired employee.

4. In such view of the matter, the respondent Corporation is directed to pay 4% interest per annum for the belated payments of retirement benefits paid to the petitioner and also directed to disburse the unpaid terminal benefits, if any, within a period of two months from the date of receipt of a copy of this order, with interest at the rate of 4% per annum for delayed period.

5. With the above direction, these writ petition stands disposed of. There shall be no order as to costs.

17.08.2023

vrc
Index:Yes/No
Internet: Yes/No
Neutral Citation:Yes/No

N.SATHISH KUMAR, J.



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