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W.P.No.25214 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25214 of 2023

T.Rajachakaravarthy

... Petitioner

-Vs-

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.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity and Earned Leave Salary amounts and other benefits Arrears of Leave Surrender for the year of 2009-2012 & 2016-2018, Pension Arrears, ERBS Pension amount 12(3) Settlement arrears pension Arrears and 10 days Salary with effect from 01.07.2022.

For Petitioner : Mr. N.Desinghu



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For R1 : Mr. K.Raja

For R2 : Mr. C.S.K.Sathish

ORDER

This Writ Petition has been filed seeking to direct the respondents to pay the petitioner interest at the rate of 12% per annum for the belated payment of interest amount of Provident Fund, Gratuity and Earned Leave Salary amounts and other benefits.

2. It is the case of the writ petitioner that he joined in the respondent Corporation on 17.09.1989 and had retired from his service on 30.06.2022. It is the grievance of the writ petitioner that the respondent paid retiral benefits viz., Provident Fund, Gratuity, Earned Leave Salary and other benefits belatedly without any interest. Hence, he made a representation on 19.07.2023 requesting the respondents to pay interest at the rate of 12% per annum for retiral benefits viz., Provident Fund, Gratuity, Earned Leave Salary and other unsettled terminal benefits and the same has not been considered. Hence, this writ petition.



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3. It is the contention of the learned counsel for the petitioner that though 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 respondents 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, this Writ Petition stands disposed of. There shall be no order as to costs.

28.08.2023

Internet : Yes
Index : Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

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2. The General Manager,
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