



W.P.No.4094 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.4094 of 2021

P.Thangaarasu

... Petitioner

/vs/

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Ramakrishna Salai,
Salem – 636 007.

2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region,
Bharathipuram,
Dharmapuri – 636 705.

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

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to disburse the payments relating to Provident Fund, Gratuity, Commutation, Earned



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Leave & 1998 Medical Leave, Leave Surrender for 3 years, Labour Welfare Scheme amount, ERBS Amount and IRT share amount along with interest at 12% per annum with effect from 01.03.2020.

For Petitioner ... Mr.N.Desinghu

For Respondents ... Mr.R.Babu
Standing Counsel for R1 and R2

Mr.C.S.K.Sathish for R3

ORDER

Heard Mr.N.Desinghu the learned counsel for the petitioner, Mr.R.Babu, the learned Standing Counsel for R1 and R2 and Mr.C.S.K.Sathish, the learned counsel for R3.

2. The petitioner who claims that his terminal benefits like Provident Fund, Gratuity, Commutation, Earned Leave, Medical Leave, etc., was not settled though he retired on superannuation as early as on 29.02.2020, has given a representation on 14.08.2020 to the respondents to disburse his terminal benefits. Since the said representation has not been considered and no order has been passed so far, the present writ petition has been filed.

3. Since the petitioner got retired as early as on 29.02.2020, his



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terminal benefits ought to have been disbursed immediately. However, the failure on the part of the respondents in not disbursing the petitioner's retiral benefits would amount to violation of fundamental rights of the petitioner. Hence, I feel the respondents should be directed to consider the representation and pass order with regard to disbursement of his terminal benefits.

4. Accordingly, this Writ Petition is allowed and the respondents are directed to consider the representation of the petitioner dated 14.08.2020 and pass orders by disbursing the terminal benefits of the petitioner along with interest @ 6%, within a period of four weeks from the date of receipt of a copy of this order. No costs.

08.03.2024

Index: Yes / No
Speaking order / Non-speaking order
bkn



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R.N.MANJULA ,J.

bkn

To:

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Ramakrishna Salai,
Salem – 636 007.
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