



WEB COPY

W.P.No.12204 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.12204 of 2021

S.Kalaichelvan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu, Valudha Reddy Post,
Villupuram – 605 602.

2. The Administrator,
Tamil Nadu State Transport Corporations,
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay the petitioner a sum of Rs. 4,41,451/- towards interest for the belated payment of terminal benefits such as Gratuity, Leave Salary Commutation and towards surrender of earned leave salary which surrendered in November 2018 with interest Arrears of D.A from March 2019 to June 2019 and the Special Grade increment as per the G.O.Ms. No. 303 dated 11th October 2017 and to recalculate entire terminal benefits such as Leave Salary, Gratuity,



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commutation and Pension with arrears amount with interest.

For Petitioner : Mr.S.T.Varadarajalu

For R1 : M/s.S.Pavithra

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

ORDER

This writ petition is filed for issuance of a writ of mandamus directing the respondents to pay the petitioner a sum of Rs.4,41,451/- towards difference in Leave Salary, Gratuity, commutation and Pension with arrears amount with interest. The basis for the claim made in the writ petition by the petitioner is pursuant to the Seventh Pay Commission Recommendations which were give an effect from 01.01.2016 with monetary benefits from 01.10.2017.

2. When the matter came up for hearing, learned counsel appearing on behalf of the respondents would submit that the respondent Corporation would settle the dues as also the interest within such reasonable time as may be prescribed by this Court, in terms of the Rules applicable.



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3. It is also brought to the notice of this Court by the learned counsel on either side that in all the similar matters, interest at the rate of 6% has been ordered by this Court.

4. In view of the matter, this Writ Petition is disposed of on the following terms:

(i) The respondents are directed to disburse the remaining terminal benefits to the petitioner if he is eligible as per the Rules within a period of twelve (12) weeks from the date of receipt of a copy of this order with interest at the rate of 6% per annum from the date it became due till the date of disbursement;

(ii) The respondents shall also pay interest at the rate of 6% per annum in respect of the terminal benefits already paid to the petitioner from the date on which the amount became due till date of disbursement;

(iii) If the amounts are not paid within a period of twelve (12) weeks from the date of receipt of a copy of this order, thereafter, the interest shall be calculated at the rate of 12% per annum from the date the amounts became due till the date of disbursement;



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MUMMINENI SUDHEER KUMAR, J.
skr

(iv) No costs. Connected Miscellaneous Petitions, if any shall
stand closed.

06.06.2024

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

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