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W.P.No.10217 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.BHARATHA
CHAKRAVARTHY**

Writ Petition No.10217 of 2024

K.Balusamy

... Petitioner

Vs.

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep. by its Managing Director,
Coimbatore.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondent to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.08.2019 to 24.01.2021, in paying the amounts paid towards his terminal benefits namely EPF Employee's contribution, Gratuity and Encashment of leaves within a time frame as may be fixed by this Court.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.C.Gouthamaraj
Standing Counsel



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ORDER

This writ petition is filed seeking for a writ of mandamus directing the respondent to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.08.2019 to 24.01.2021, in paying the amounts paid towards his terminal benefits namely EPF Employee's contribution, Gratuity and Encashment of leaves within a time frame as may be fixed by this Court.

2. *Mr.C.Gowthamaraj*, learned Counsel takes notice for the respondent. He would submit that the eligible amount will be paid to the petitioner within a reasonable time as may be fixed by this Court.

3. Learned Counsel for the petitioner submits that, in these cases, this Court has consistently allowed the payment with interest at the rate of 6% per annum.

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

(i) The respondent is directed to pay interest on the belated



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payment of terminal benefits namely EPF Employee's contribution, Gratuity and Encashment of leave at the rate of 6 % per annum, from the date on which the amount became due, till the date of disbursement, within a period of twelve (12) weeks from the date of receipt of a copy of this order;

(ii) If the amount is not paid within a period of twelve (12) weeks, thereafter, the interest shall be calculated at the rate of 12% per annum from the date on which the amount became due till the date of disbursement.

(iii) There shall be no order as to costs.

15.04.2024

Index: Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No
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D.BHARATHA CHAKRAVARTHY, J.

mp

To

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep. by its Managing Director,
Coimbatore.

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