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W.P.No.11176 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11176 of 2024

S.Chinnusamy

.. Petitioner

Versus

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem - 636 007.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Leave Salary, Commutation amounts and other unsettled benefits 10 days Leave Surrender for the year of 2009-2011 & 2017-2018, ERBS Pension and 7



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days salary with effect from 01.07.2019 within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.R.Venkatesa Perumal,
Standing Counsel, for R1

: Mr.C.S.K.Sathish, for R2

ORDER

This Writ Petition is filed seeking for a Writ of Mandamus for a direction to the respondents to disburse the interest amount on belated payment of Provident Fund, Gratuity, Leave Salary, Commutation amounts and other unsettled benefits i.e., 10 days leave surrender for the years 2009-2011 and 2017-2018, ERBS Pension and 7 days salary with effect from 01.07.2019 within the stipulated time as may be fixed by this Court.

2. *Mr.R.Venkatesa Perumal*, learned Standing Counsel for TNSTC (Salem) takes notice for the first respondent.

3. When the matter came up for hearing, *Mr.R.Venkatesa Perumal*, learned Standing Counsel for the first respondent would submit that the



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respondent Corporation would settle the dues as also the interest within such reasonable time as may be prescribed by this Court.

4. 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.

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

(i) The respondents are directed to disburse the other unsettled benefits i.e., 10 days leave surrender for the years 2009-2011 and 2017-2018, ERBS Pension and 7 days salary with effect from 01.07.2019, 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 belated payment of Provident Fund, Gratuity, Leave Salary, Commutation amounts already paid to the petitioner from the date on which the amount became due till date of disbursement;



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(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;

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

23.04.2024
(1/4)

Index : yes
Speaking order
Neutral Citation : no
grs

To

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D.BHARATHA CHAKRAVARTHY, J.

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