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W.P.No.11525 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA

CHAKRAVARTHY

W.P.No.11525 of 2024

I.Peter Selvanayagam

...Petitioner

-Vs-

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, praying for the issuance of a direction in the nature of 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 15 days leave surrender for the year of 2009-2011 & 2017-2018, ERBS Pension and 10 days salary with effect from 01.06.2022 within the stipulated time as may be fixed by this Court and pass such further



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orders.

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For Petitioner : Mr.N.Desinghu
For R1 : Mr.K.Raja
Government Advocate
For R2 : Mr.C.S.K.Sathish

ORDER

This writ petition is filed seeking for a writ of mandamus directing the respondents to pay interest on the belated payment of Provident Fund, Gratuity, Leave salary and Commutation amounts and also to settle the remaining retirement benefits of 15 days leave surrender, ERBS Pension and 10 days salary etc.

2. Mr.K.Raja, learned Government Advocate takes notice for the 1st 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. Mr.C.S.K.Sathish, learned counsel takes notice for the 2nd respondent.



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4. Learned counsel for the petitioner submitted that, in all the connected matters, this Court has consistently allowed the payment with interest at the rate of 6% per annum.

5. In that view of the matter, this writ petition is disposed of on the following terms:

- 1) The respondents are directed to pay interest on the belated payment of Provident Fund, Gratuity, Leave salary and Commutation amounts to the petitioner, if he is eligible as per the Rules within a period of eight (8) weeks from the date of receipt of a copy of this order with interest at the rate of 6% per annum from the dates on which the amounts became due, till the date of disbursement.
- 2) The respondents shall also pay the remaining eligible amounts to the petitioner such as 15 days leave surrender for the year 2009-2011 & 2017-2018, ERBS Pension and 10 days salary with effect from 01.06.2022, if the petitioner is eligible as per the Rules within a period of eight (8) weeks from the date of receipt of a copy of this order with interest at the rate of 6% per annum from the dates on which the amounts became due, till the date of disbursement.



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3) If the amounts are not paid within a period of eight (8) weeks, thereafter, the same shall carry the interest at the rate of 12% per annum from the dates on which the amounts became due, till the date of disbursement.

There shall be no order as to costs.

24.04.2024

cda

Index : Yes

Speaking Order

To

1.The Managing Director,
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