



W.P.No.11582 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11582 of 2024

V.Nagaraji

.. Petitioner

Versus

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12 Ramakrishna Road,
Salem - 636 007.
2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Bharathipuram,
Dharmapuri District.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Welfare Fund Trust,
Thriuvalluvar House, Pallavan Salai,
Chennai - 600 002.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus directing the respondents to disburse the belated payment of Provident Fund, Gratuity, Commutation, Leave salary amounts and other unsettled benefits Leave Surrender in while in service and ERBS with effect from 01.05.2017 within the stipulated time as may be fixed by this Court.



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For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja,
Standing Counsel for RR-1 and 2

: Mr.C.S.K.Sathish, for R3

ORDER

This Writ Petition is filed seeking for a direction to the respondents to disburse the interest on belated payment of Provident Fund, Gratuity, Commutation, leave salary amounts and other unsettled benefits of leave surrender during the service and ERBS amount with effect from 01.05.2017 within the stipulated time as may be fixed by this Court .

2. *Mr.K.Raja*, learned Standing Counsel takes notice for the respondent Nos.1 and 2 and *Mr.C.S.K.Sathish*, learned Counsel for the third respondent.

3. When the matter came up for hearing, *Mr.K.Raja*, learned Standing Counsel taking notice for the respondent Nos.1 and 2 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.



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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% per annum 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 unsettled benefits of leave surrender during the service and ERBS amount with effect from 01.05.2017 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 on which the amount 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, Commutation, leave salary amounts 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



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shall be calculated at the rate of 12% per annum from the date on which the amounts became due till the date of disbursement;

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

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Index : yes
Speaking order
Neutral Citation : no
grs

To

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D.BHARATHA CHAKRAVARTHY, J.

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