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W.P.No.12480 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12480 of 2024

C.Palanisamy

.. Petitioner

Versus

Tamilnadu State
Transport Corporation (Coimbatore) Limited,
Rep. by its Managing Director,
Mettupalayam Road,
Coimbatore-43.

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus directing the respondent to pay the petitioner interest for the belated payment of the petitioner's terminal benefits, namely the P.F, gratuity and earned leave salary; to pay the petitioner wages towards 60 days of earned leave surrendered by the petitioner, while he was in service and to pay him a sum of Rs.8,227/- towards a difference in wages, together with interest at the rate of 12% for the above benefits within a specified time frame, as may be timed by this Court.

For Petitioner : M/s.H.Nandhini
for Mr.R.Krishnaswamy

For Respondent : Mr.C.Gowthamaraj



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ORDER

This Writ Petition is filed seeking for a direction to the respondent to pay the interest for the belated payment of his terminal benefits namely, the Provident Fund, Gratuity and the Earned Leave salary; the amount payable as wages towards 60 days Earned Leave surrendered by the petitioner and also to pay a sum of Rs.8,227/- towards the difference in wages together with interest at 12% per annum.

2. *Mr.C.Gowthamaraj*, learned Counsel, taking notice for the respondent Corporation, would submit that as far as the Earned Leave surrender is concerned, the same will be considered as per the Rules and it will be paid and this Court has been ordering interest at the rate of 6% per annum in all the connected matters. As far as the difference in wage amount of Rs.8,227/- is concerned, the same became payable only after the retirement of the petitioner and since the petitioner also retired long back, interest need not be ordered as far as the said payment is concerned.



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3. In view thereof, this Writ Petition is disposed of on the following terms:-

(i) The respondent is directed to pay interest at the rate of 6% per annum in respect of the terminal benefits namely, Provident Fund, Gratuity and Earned Leave salary, already paid to the petitioner from the date on which the amount became due till date of disbursement;

(ii) The respondent shall pay the amount payable as wages towards 60 days Earned Leave surrender to the petitioner as per his eligibility as per the Rules within 12 weeks from the date of receipt of a copy of this order along with interest at the rate of 6% per annum from the date on which the amount became due till the date of disbursement;

(iii) The respondent shall also pay the difference amount of Rs.8,227/- to the petitioner within 12 weeks from the date of receipt of a copy of this order;

(iv) If the amounts, as aforesaid, are not paid within 12 weeks from the date of receipt of a copy of this order, thereafter, the amounts shall be paid along with the further interest at the rate of 12% per annum from the date on which the amounts became due till the date of disbursement;

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



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Index : yes
Speaking order
Neutral Citation : no
grs

To

The Managing Director,
Tamilnadu State Transport Corporation (Coimbatore) Limited,
Mettupalayam Road,
Coimbatore-43.



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D.BHARATHA CHAKRAVARTHY, J.

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