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W.P.No.16308 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2024

CORAM

THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.16308 of 2024

R.Muthusami

... 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 Constitution of India, for issuance of a Writ of Mandamus to direct the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary, commutation and other unsettle benefits of ERBS Pension amount and 10 days salary amount with effect from 01.06.2022 within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu



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For Respondents : Mr.M.Murali Vinoth
for R1
Mr.C.S.K.Sathish
for R2

ORDER

This writ petition has been filed for a Mandamus to direct the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary, commutation and other unsettle benefits of ERBS Pension amount and 10 days salary amount with effect from 01.06.2022 within the stipulated time as may be fixed by this Court.

2. Mr.M.Murali Vinoth, learned counsel takes notice on behalf of the first respondent and Mr.C.S.K.Sathish, learned counsel takes notice for the second respondent.

3. When the matter came up for hearing, learned counsel for the respondents would submit that the respondents 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



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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:-

- 1) The respondents are directed to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary, commutation and other unsettled benefits of ERBS Pension amount and 10 days salary amount with effect from 01.06.2022, 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;
- 2) The respondents shall also pay interest at the rate of 6% per annum in respect of the terminal benefits already paid to the petitioner from the date on which the amount became due till date of disbursement;
- 3) 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;
- 4) No costs.



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To

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2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Trust,
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D.BHARATHA CHAKRAVARTHY, J.

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