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W.P.No.21879 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21879 of 2024

M.A.Baskar

... 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

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the belated payment of interest amount of provident fund, gratuity, earned leave salary commutation and other unsettle benefits of arrears of surrender leave salary for the years of 2009-2011 & 2017-2018, ERBS pension and 7 days salary with effect from 21.09.2020 within the stipulated time as may be fixed by this Court.

For Petitioner : Mr. N.Desinghu
For Respondents : Mr. K.Raja,
Standing Counsel (for R1)
Mr. C.S.K.Sathish,
Standing Counsel (for R2)



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ORDER

This Writ Petition is filed for directing the respondents to disburse the belated payment of interest amount of provident fund, gratuity, earned leave salary commutation and other unsettle benefits of arrears of surrender leave salary for the years of 2009-2011 & 2017-2018, ERBS pension and 7 days salary with effect from 21.09.2020 within the stipulated time as may be fixed by this Court.

2. Mr.K.Raja, learned Standing Counsel takes notice for the first respondent and Mr. C.S.K.Sathish, learned Standing Counsel takes notice for the second respondent. They would submit that the eligible amount will be paid to the petitioner within a reasonable time as may be fixed by this Court.

3. 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.



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

(i) the respondents are directed to pay interest on the belated payment of interest amount of provident fund, gratuity, earned leave salary commutation and other unsettled benefits of arrears of surrender leave salary for the years of 2009-2011 & 2017-2018, ERBS pension and 7 days salary with effect from 21.09.2020 at the rate of 6% per annum, from the date on which the amount became due, till the date of disbursement, within a period of twelve (12) weeks from the date of receipt of a copy of this order;

(ii) if the amount is not paid within a period of twelve (12) weeks, thereafter, the interest shall be calculated at the rate of 12% per annum from the date on which the amount became due till the date of disbursement; and

(iii) there shall be no order as to costs.

31.07.2024

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Index: Yes/No

Neutral Citation: Yes/No

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G.K.ILANTHIRAIYAN, J.

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