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W.P.No.23323 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23323 of 2024

C.Balasubramanian

...Petitioner

Vs.

The Management,
Tamil Nadu State Transport Corporation (Kovai) Limited,
Erode Region,
Rep. By its Managing Director,
Erode

..Respondent

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to pay the interest at the rate of 18% per annum for the period of delay from 01.05.2018 to 19.09.2019 in paying the amounts paid towards my terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of Leaves within a time frame fixed by this Court.

For Petitioner : Mr.G.Vijay Priyan
for Mr.V.Ajay Khose
For Respondent : Mr.M. Murali Vinodh
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent to pay interest at the rate of 18% per



W.P.No.23323 of 2024

annum for the delay period from 01.05.2018 to 19.09.2019 in paying the terminal benefits of the petitioner.

2. The case of the petitioner is that he was appointed as a Junior Tradesman in the year 1988 and on completion of 30 years of service, he attained superannuation on 30.04.2018 while holding the post of Tradesman.

3. The grievance of the petitioner is that there was a delay from 01.05.2018 to 19.09.2019 in settling the terminal benefits. In view of the same, the petitioner has sought for payment of interest towards the delay in settlement of the terminal benefits. The petitioner in this regard had made a representation to the respondent on 20.06.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4. Heard Mr.G.Vijay Priyan, learned counsel for Mr.V.Ajay Khose, learned counsel for petitioner and Mr.Murali Vinodh, learned Standing Counsel for respondent.



W.P.No.23323 of 2024

WEB COPY

5. Taking into consideration the facts and circumstances of the case and the materials available on record, this writ petition is disposed of with a direction to the respondent Corporation to pay interest at the rate of 6% per annum for the delay period from 01.05.2018 to 19.09.2019 in settling the terminal benefits. This payment shall be made within a period of six weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation.

6. The petitioner is directed to submit a fresh representation to the respondent along with a copy of this order. No costs.

12.08.2024

Internet: Yes/No

Index: Yes/No

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W.P.No.23323 of 2024

N.ANAND VENKATESH,J.,

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To
The Management,
Tamil Nadu State Transport Corporation (Kovai) Limited,
Erode Region,
Rep. By its Managing Director,
Erode

W.P.No.23323 of 2024

12.08.2024