



WEB COPY



W.P.No.23327 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23327 of 2024

P.Kalidasan

...Petitioner

Vs.

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

2. The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2

..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the interest at the rate of 18% per annum for the period of delay from 01.7.2022 to 30.05.2023 in paying the amounts paid towards my terminal and pension benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned /Sick Leaves and Commuted value of pension within a time frame fixed by this Court.

For Petitioner : Mr.G.Vijay Priyan
for Mr.V.Ajay Khose

For Respondent : Mr.K.Raja



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Standing Counsel for R1
Mr.C.S.K.Sathish for R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay interest at the rate of 18% per annum for the delay period from 01.7.2022 to 30.05.2023 in paying the terminal benefits of the petitioner.

2. The case of the petitioner is that he was appointed as a Junior Assistant in the 1st respondent Corporation in the year 1987 and on completion of 35 years of service, he superannuated from service on 30.06.2022 while holding the post of “Senior Superintendent”.

3. The grievance of the petitioner is that there was a delay from 01.7.2022 to 30.05.2023 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 respondents 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



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Khose, learned counsel for petitioner and Mr.Murali Vinodh, learned Standing Counsel for 1st respondent and Mr.C.S.K.Sathish, learned counsel for 2nd respondent.

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 2nd respondent Corporation to pay interest at the rate of 6% per annum for the delay period from 01.7.2022 to 30.05.2023 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 2nd respondent along with a copy of this order. No costs.

12.08.2024

Internet: Yes/No
Index: Yes/No
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N.ANAND VENKATESH,J.,



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To

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