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Writ Petition No.25082 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.25082 of 2024

S.Narasimhan

S/o.Swaminathan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore Division) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043.

2.The Administrator,
Pension Trust, Pallavan Salai,
Chennai - 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent herein to pay interest for the delayed payments made to the petitioner in respect of commutation and the pending gratuity amount along with interest as order passed by the Assistant Commissioner of Labour, Salem, in P.G.Case.No.50/2016 dated 10.05.2016.

For Petitioner : Mr.D.Anand Raja

For Respondents : Mr.C.Gowthamaraj
Standing Counsel [R1]
Mr.C.S.K.Sathish,
Standing Counsel [R2]



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to pay interest on the delayed payment made to the petitioner with respect to commutation and pending gratuity amount along with interest as per the order passed by the Assistant Commissioner of Labour, Salem, in P.G.Case.No.50/2016 dated 10.05.2016.

2. Heard Mr.D.Anand Raja, learned counsel for petitioner, Mr.C.Gowthamaraj, learned Standing Counsel appearing for first respondent and Mr.C.S.K.Sathish, learned Standing Counsel appearing for second respondent.

3. The case of the petitioner is that he joined the services of the respondent Corporation in the year 1980. After putting in service of nearly 34 years, he retired from service on 31.05.2014. At the time of retirement, the petitioner has not paid the retirement benefits and other monetary benefits. The same was settled only at a later point of time. That apart, the petitioner is entitled for the pending gratuity amount as per the order of the Assistant Commissioner of Labour, Salem, in



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P.G.Case.No.50/2016 dated 10.05.2016. In view of the same, the petitioner has approached this Court seeking for interest for the delayed payment of retirement benefits and payment of pending gratuity amount with interest.

4. Taking into consideration the facts and circumstances of the case and also the fact that there has been delay in settlement of the terminal benefits and the gratuity amount, there shall be a direction to the respondents to pay the eligible and admissible amount with interest at the rate of 6% p.a. for the belated payment to the petitioner within a period of six (6) 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 interest at the rate of 12% p.a. from the date on which the amount became due and payable till the date of actual realisation.

5. The petitioner is directed to submit a fresh representation to the respondents along with a copy of this order.



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N.ANAND VENKATESH, J

gm

This writ petition is disposed of with the above direction. No costs.

03.09.2024

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore Division) Ltd.,
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