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W.P.No.25482 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.25482 of 2024

S.Muthusamy, (Rtd. Staff No.LDR017)

.. Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road, Salem – 636 007. .. Respondent

Prayer: Writ Petition 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 and other unsettle benefits of Arrears of Surrender Leave Salary for the year of 2009-2011 & 2017-2018, 12(3) Settlement Arrears amount and 7 days salary with effect from 01.03.2020 within the stipulated time as may be fixed by this Court.

For petitioner : Mr.N.Desinghu
For Respondent : Mr.K.Raja
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus



W.P.No.25482 of 2024

directing the respondent to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary and other unsettle benefits of Arrears of Surrender Leave Salary for the year of 2009-2011 & 2017-2018, 12(3) Settlement Arrears amount and 7 days salary with effect from 01.03.2020.

2.The case of the petitioner is that he joined as Driver in the services of the respondent on 02.02.1983 and he retired from his services on 29.02.2020.

3.The grievance of the petitioner is that after his retirement, the petitioner was paid with some benefits belatedly on 02.06.2021. Hence, the petitioner sent representation dated 06.08.2024 to the respondent seeking to take steps to settle his terminal benefits with interest. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.

4.Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.



W.P.No.25482 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 the permissible amount with interest at the rate of 6% per annum for the delay period from 29.02.2020 to 02.06.2021 in settling the terminal benefits. This payment shall be made 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 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.

04.09.2024

($\frac{1}{2}$)

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

The Managing Director,



W.P.No.25482 of 2024

Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road, Salem – 636 007.

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N.ANAND VENKATESH, J.

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