



WEB COPY



Writ Petition No.25539 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.25539 of 2024

R.Sundararaj
S/o.Ramasamy

... Petitioner

Vs.

Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
represented by its The Managing Director,
Mettupalayam Road,
Coimbatore - 43.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to pay interest for the belated payment of his terminal benefits, namely, P.F., gratuity and earned leave salary, to pay him wages towards 45 days of earned leave surrendered by the petitioner and to pay him a sum of Rs.18,500/- towards the STERBS (State Transport Employees Retirement Benefit Scheme), which was deducted from his salary every month, while he was in service together with interest at the rate of 12% for the above benefits within a specified time frame as may be fixed by this Court.



Writ Petition No.25539 of 2024

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.C.Gouthamraj
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondent to pay interest for the belated payment of his terminal benefits, namely, P.F., gratuity and earned leave salary and to pay him a sum of Rs.18,500/- towards the STERBS (State Transport Employees Retirement Benefit Scheme), which was deducted from his salary every month, while he was in service together with interest at the rate of 12% for the above benefits.

2. Heard Mr.V.Ajoy Khose, learned counsel for petitioner and Mr.C.Gouthamraj, learned Standing Counsel appearing for respondent.

3. The case of the petitioner is that he joined the service of the respondent corporation as a Security on 23.04.1988 and ultimately, he retired from service on 31.03.2018 on attaining the age of superannuation as 'Special Grade Checking Inspector'.



Writ Petition No.25539 of 2024

4. The grievance of the petitioner is that even though he retired from service as early as on 31.03.2018, the respondent has settled the terminal benefits only on 03.11.2018 and the respondent has not paid the amount with regard to surrender of earned leave. Hence, the petitioner has submitted a representation to the respondent on 21.05.2024. Since the same did not evoke any response, the present writ petition has been filed.

5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioner, there shall be a direction to the respondent 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.

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



WEB COPY



Writ Petition No.25539 of 2024

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
The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
Mettupalayam Road,
Coimbatore - 43.

Writ Petition No.25539 of 2024

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