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Writ Petition No.25607 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.25607 of 2024

Nirmala
W/o.Subramani

... Petitioner

Vs.

Tamil Nadu State Transport Corporation
(Salem) Ltd.,
represented by its The Managing Director,
No.12, Ramakrishna Road,
Salem - 7.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to pay the petitioner interest at the rate of 18% per annum for the belated payment of her husband's terminal benefits, namely, PF and gratuity within a specified time as may be fixed by this Court.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.K.Raja
Standing Counsel



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the respondent to pay the petitioner interest at the rate of 18% per annum for the belated payment of her husband's terminal benefits, namely, PF and gratuity.

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

3. The case of the petitioner is that the petitioner's husband joined the service of the respondent corporation as a Driver on 01.01.1997. The petitioner's husband retired on 03.08.2022 under the Voluntary Retirement Scheme while he was working as Senior Grade Driver. The petitioner's husband died on 29.03.2023.

4. The grievance of the petitioner is that the terminal benefits of her husband have been paid only on 05.06.2023. Hence, the petitioner made a representation to the respondent to pay interest at the rate of 18% p.a. for the delay period. Since the same was not considered, the present writ petition has been filed.



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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 interest at the rate of 6% p.a. for the belated payment of terminal benefits 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.

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 (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem - 7.



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N.ANAND VENKATESH, J

gm

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