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Writ Petition No.25610 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.25610 of 2024

Ganesan

S/o.Chinnu Gounder

... Petitioner

Vs.

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

2.Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
represented by its Administrator,
Thiruvalluvar Illam, 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 respondent to pay the petitioner interest at the rate of 12% per annum for the belated payment of PF, gratuity and commuted value of pension together with interest at the rate of 12% within a specified time as may be fixed by this Court.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.K.Raja
Standing Counsel [R1]
Mr.C.S.K.Sathish [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 respondents to pay the petitioner interest at the rate of 12% per annum for the belated payment, namely, PF, gratuity and commuted value of pension.

2. Heard Mr.V.Ajoy Khose, learned counsel for petitioner, Mr.K.Raja, 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 the petitioner joined the service of the first respondent corporation as a Driver on 13.09.1988 and the petitioner was promoted to the post of Senior Grade Driver. Ultimately, the petitioner retired from service on 31.10.2022 on attaining the age of superannuation.

4. The grievance of the petitioner is that though the petitioner retired from service as early as on 31.10.2022, the terminal benefits have been paid only on 23.05.2023. Hence, the petitioner made a



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representation to the respondent to pay interest at the rate of 12% p.a. for the delay period. Since the same was not considered, 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 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



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N.ANAND VENKATESH, J

gm

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Ltd.,
No.12, Ramakrishna Road,
Salem - 7.
- 2.The Administrator,
Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
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