



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26465 of 2024

R.Karunakaran

... Petitioner

Vs.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity and other unsettle benefits of Arrears of Surrender Leave Salary for the year of 2009-2011, ERBS Pension, 12th Wage Settlement Arrears and 7 days Salary with effect from 01.05.2019 within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja
Standing Counsel



ORDER

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This writ petition has been filed for the issue of writ of Mandamus directing the respondents to disburse the interest for the belated payment of Provident Fund, Gratuity and other unsettled benefits of Arrears of Surrender Leave Salary for the year of 2009-2011, ERBS Pension, 12th Wage Settlement Arrears and 7 days Salary with effect from 01.05.2019 within the stipulated time as may be fixed by this Court.

2.The case of the petitioner is that he was working as a Driver in the respondent Corporation from 13.12.1996. After completion of 23 years of service, he retired from service as “Senior Grade Driver” on 30.04.2019.

3.The grievance of the petitioner is that there was a delay in settling the terminal benefits like PF, Gratuity amounts and other benefits like arrears of surrender leave salary for the year 2009-2011, ERBS pension, 12th Wage Settlement Arrears and 7 days salary. In view of the same, the petitioner has sought for payment of interest towards the delay in settlement of the terminal benefits and other benefits. The petitioner in this regard had made a representation to the respondent on 13.08.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.



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4. Heard Mr.N.Desinghu, learned counsel for petitioner and Mr.K.Raja, learned
learned Standing Counsel for respondent.

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 eligible amount as payable to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amounts. This payment shall be made within a period of six 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.

13.09.2024

Internet : Yes

Index : Yes

Speaking Order / Non Speaking Order
ssr

(1/2)



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N. ANAND VENKATESH, J.

ssr

To

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

W.P.No.26465 of 2024

**13.09.2024
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