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Writ Petition No.26077 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26077 of 2024

K.Abdul Hameed
S/o.Abdul Kapor

... Petitioner

Vs.

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

2.Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
represented by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to pay the petitioner Rs.1,06,219/- towards interest for the belated payment of the Provident Fund and to pay the petitioner Rs.99,626/- difference of the Earned leave/Medical Leave Salary and to pay the petitioner interest for the belated payment of earned leave and medical leave of Rs.42,088/- and the arrears of difference in pension for the period from 01.07.2022 to 28.02.2023 based on the petitioner revised salary as on the date of his retirement as per the settlement dated 24.08.2022 with interest at the rate of 12% p.a. and to pay the amounts payable under the Family Benefit Fund, Social Security Scheme, Post Retirement Benefit Scheme and the IRT Contributions with interest at the rate of 12% p.a. within a specified time frame as may be fixed by this Court.



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For Petitioner : Mr.G.Vijay Priyan
For Respondents : Mr.R.Venkatesaperumal
Standing Counsel [R1]
Mr.C.S.K.Sathish
Standing Counsel [R2]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the petitioner Rs.1,06,219/- towards interest for the belated payment of the Provident Fund and to pay the petitioner Rs.99,626/- difference of the Earned leave/Medical Leave Salary and to pay the petitioner interest for the belated payment of earned leave and medical leave of Rs.42,088/- and the arrears of difference in pension for the period from 01.07.2022 to 28.02.2023 based on the petitioner revised salary as on the date of his retirement as per the settlement dated 24.08.2022 with interest at the rate of 12% p.a. and to pay the amounts payable under the Family Benefit Fund, Social Security Scheme, Post Retirement Benefit Scheme and the IRT Contributions with interest at the rate of 12% p.a. within a specified time frame as may be fixed by this Court.

2. Heard Mr.G.Vijay Priyan, learned counsel for petitioner,



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Mr.R.Venkatesaperumal, 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 he joined the service of the first respondent Corporation as a Junior Tradesman on 08.09.1981. Ultimately, he retired from service on 31.05.2022 on attaining the age of superannuation.

4. The grievance of the petitioner is that even though he retired from service as early as on 31.05.2022, the respondents have settled the terminal benefits only after a period of one year. In view of the same, the petitioner submitted a representation to the respondents to pay interest for the belated payment of terminal benefits. 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 respondents to pay the eligible and admissible amount with interest at the rate of 6% p.a. for the belated payment to the



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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 respondents along with a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

05.09.2024

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To



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N.ANAND VENKATESH, J

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