



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26785 of 2024

C.Periyasamy

... Petitioner

Vs.

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

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.

... 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, Commutation, Earned Leave Salary and other unsettle benefits of Arrears of Surrender Leave Salary for the year of 2009-2011, 12(3) Settlement Arrears amount and 7 days Salary amounts with effect from 01.03.2018 within the stipulated time as may be fixed by this court.



For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja
Standing Counsel for R1

Mr.C.S.K.Sathish
Standing Counsel for R2

ORDER

This writ petition has been filed directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation, Earned Leave Salary and other unsettled benefits of Arrears of Surrender Leave Salary for the year of 2009-2011, 12(3) Settlement Arrears amount and 7 days Salary amounts with effect from 01.03.2018 within the stipulated time as may be fixed by this court.

2.The case of the petitioner is that he was working as a Conductor in the respondent Corporation from 05.01.1994. After completion of 24 years of service, he retired from service as “Selection Grade Senior Conductor” on 28.02.2018.

3.The grievance of the petitioner is that there was a delay in settling the terminal benefits and other unsettle benefits of Arrears of Surrender Leave Salary for the year of 2009-2011, 12(3) Settlement Arrears amount and 7 days salary amounts. In view of the same, the petitioner has sought for payment of interest towards the delay in settlement of



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the terminal benefits and other unsettled benefits. The petitioner in this regard had made a representation to the respondent on 16.08.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4. Heard Mr.N.Desinghu, learned counsel for petitioner and Mr.K.Raja, learned Standing Counsel for the 1st respondent and Mr.C.S.K.Sathish, learned Standing Counsel for 2nd 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 terminal benefits. 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.



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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

(1/2)

Index : Yes

Speaking Order / Non Speaking Order
ssr

To

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