



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.27630 of 2024

1.R.Chithra

2.R.Vinoth

... Petitioners

Vs.

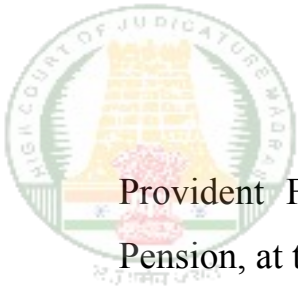
1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 43.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region,
Chennimalai Road,
Erode – 638 001.

3.The Administrator,
Tamil Nadu State Transport Corporation EPF Trust,
Thiruvalluvar House,
Anna Salai,
Chennai – 2.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay Retirement Benefits Scheme Recovery amount (RBSR) along with interest and interest for the belated payment of



Provident Fund, Gratuity, Encashment of Earned Leave and Commuted Value of Pension, at the rate of 12 percentage per annum, with in a specified time.

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For Petitioner : Mr.N.Palani Kumar

For Respondents : Mr.M.Murali Vinoth
Standing Counsel for R1 and R2

Mr.C.S.K.Sathish
Standing Counsel for R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay Retirement Benefits Scheme Recovery amount (RBSR) along with interest and interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave and Commuted Value of Pension, at the rate of 12 percentage per annum, with in a specified time.

2.The case of the petitioners is that petitioners are the legal heirs of the deceased Rajan who was retired from service on 30.04.2020 as Senior Tradesman in the respondent Corporation and he died on 30.04.2022 leaving behind the petitioners herein.



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3.The grievance of the petitioners is that there was a delay in settling the RBSR amount and other terminal benefits of the deceased Rajan. In view of the same, the petitioners have sought for payment of interest towards the delay in settlement of the terminal benefits and RBSR Fund of the deceased Rajan. The petitioners in this regard had made a representation to the respondent on 30.01.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.N.Palani Kumar, learned counsel appearing on behalf of the petitioners, Mr.M.Murali Vinoth learned Standing Counsel appearing on behalf of respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel appearing on behalf of the 3rd 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 petitioners 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 petitioners are directed to submit a fresh representation to the respondent along with a copy of this order. No costs.

23.09.2024

Internet : Yes

Index : Yes

Speaking Order / Non Speaking Order
ssr

(2/2)

To

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N. ANAND VENKATESH, J.

SSR

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(2/2)**