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W.P.No.27171 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.27171 of 2024

S.Krishnan
(Pay Roll No.SR.01224/08999, P.P.O.No.3465)

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Tiruvannamalai Region,
Vengikkal Bye Pass Road,
Tiruvannamalai – 606 601.

3.The Administrator,
Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay interest to the petitioner at the rate of 12% per annum for the belated payment of his Earned Leave Salary, Gratuity and Commuted value of pension within a time limit to be stipulated by this Court.



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For petitioner : Mr.J.Lakshminarayanan
For RR 1 & 2 : Mr.R.Venkatesa Perumal
For R3 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to pay 12% interest for belated payment of the petitioner's Earned Leave Salary, Gratuity and Commuted value of pension within a time limit.

2.The case of the petitioner is that he joined the as Conductor in the 1st respondent Corporation on 28.02.1987 and he retired from his service on 30.04.2018.

3.The grievance of the petitioner is that his Earned Leave salary, Gratuity and Commuted value of pension was settled belatedly only on 19.09.2019 with a delay of 507 days. Hence, the petitioner sent representation dated 01.07.2024 to the respondents seeking for payment of interest for the belated payment. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.



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4. Heard the learned counsel for the petitioner, learned counsel for the respondents 1 & 2 and the learned Standing Counsel for 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 3rd respondent Corporation to pay the eligible amount with interest at the rate of 6% per annum for the delay period from 30.04.2018 to 19.09.2019 in settling the terminal benefits. This payment shall be made 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 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 3rd respondent along with a copy of this order. No costs.

20.09.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

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N.ANAND VENKATESH, J.

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To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu, Villupuram – 605 602.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Tiruvannamalai Region,
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