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W.P.No.27238 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.27238 of 2024

K.Ganasivaprakasam, (Rtd. Staff No.CR2872) .. Petitioner

Vs.

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

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to disburse the belated payment of interest amount of Provident Fund, Gratuity, 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 01.06.2018 within the stipulated time as may be fixed by this Court.

For petitioner : Mr.N.Desinghu

For Respondent : Mr.K.Raja
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondent to disburse the belated payment of interest



amount of Provident Fund, Gratuity, 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 01.06.2018.

2.The case of the petitioner is that he joined as Conductor in the
erstwhile Anna Transport Corporation Salem Ltd., now renamed as
Tamilnadu State Transport Corporation (Salem) Ltd., on 05.01.1994 and
he retired from his services on 31.05.2018.

3.The grievance of the petitioner is that after his retirement, the
petitioner was paid with some benefits belatedly on 20.09.2020. Hence,
the petitioner sent representation dated 16.08.2024 to the respondent
seeking to take steps to settle his terminal benefits with interest. Since
the same did not evoke any response, the petitioner has come with the
present writ petition for the relief sought for above.

4.Heard the learned counsel for the petitioner and the learned
Standing Counsel for the respondent.



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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 permissible amount 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 (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 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

To

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



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N.ANAND VENKATESH, J.

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