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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.27659 of 2024

K.Geetha

... Petitioner

Vs.

M/s.State Express Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to settle retirement benefits like Gratuity, Provident Fund, Leave Salary Commutation of 1/3 pension and Erode Engineering College and Perundurai Medicial college Deposit amount and Social Security Scheme amount payable to the petitioner's husband with 6 percent interest to the petitioner herein and revise the petitioner's family pension based on the 30 years of service rendered by the petitioner's husband in the respondent corporation, by considering the representations of the petitioner dated 01.12.2023 and 05.09.2024.



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For Petitioner : Mr.D.Soundar Raj

For Respondents : Mr.L.S.M.Hasan Fizal
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent herein to settle retirement benefits like Gratuity, Provident Fund, Leave Salary Commutation of 1/3 pension and Erode Engineering College and Perundurai Medicial college Deposit amount and Social Security Scheme amount payable to the petitioner's husband with 6 percent interest to the petitioner herein and revise the petitioner's family pension based on the 30 years of service rendered by the petitioner's husband in the respondent corporation, by considering the representations of the petitioner dated 01.12.2023 and 05.09.2024.

2.The case of the petitioner is that petitioner's husband was working as a Helper in the respondent Corporation from 01.05.1993. After completion of 30 years of service, he retired from service on 30.04.2023 on voluntary retirement and



he died on 07.09.2023.

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3.The grievance of the petitioner is that there was a delay in settling the terminal benefits of her husband. In view of the same, the petitioner has sought for payment of interest towards the delay in settlement of the terminal benefits of her husband. The petitioner in this regard had made a representations to the respondent on 01.12.2023 and 05.09.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.D.Soundar Raj, learned counsel appearing on behalf of the petitioner and Mr.L.S.M.Hasan Fizal, learned Standing Counsel appearing on behalf of the 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 said amount. 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

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N. ANAND VENKATESH, J.

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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.

23.09.2024

Internet : Yes

Index : Yes

Speaking Order / Non Speaking Order
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To

M/s.State Express Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

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