



W.P.No.28282 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.28282 of 2024

P.Govindarajan,
Staff No.CR 5168.

.. Petitioner

Vs.

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

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region, Bharathipuram, Dharmapuri.

3.The Administrator,
TNSTC Employees Pension Trust,
Thiruvalluvar House, No.2, Pallavan 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 disburse the 6% interest for belated payment of Provident Fund, Gratuity, Pension Commutation and Earned Leave salary and consequently direct the respondents to pay the unsettled benefits of leave encashment amount and last 6 days salary within the stipulated time as may be fixed by this Court.



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For petitioner : Mr.J.Pradeep
For RR 1 & 2 : Mr.K.Raja
Standing Counsel
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 disburse the 6% interest for belated payment of Provident Fund, Gratuity, Pension Commutation and Earned Leave salary and consequently direct the respondents to pay the unsettled benefits of leave encashment amount and last 6 days salary within the stipulated time as may be fixed by this Court.

2.The case of the petitioner is that he joined as Conductor in the erstwhile Annai Sathiya Transport Corporation, Dharmapuri, in the year 1987 and he retired from his service on 22.09.2019.

3.The grievance of the petitioner is that after his retirement, the petitioner was paid with his terminal benefits belatedly on 22.01.2021.



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Further, the petitioner was not paid with Leave Encashment amount and last 6 days salary. Hence, the petitioner sent representation dated 22.07.2024 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.

4.Heard the learned counsel for the petitioner, learned Standing 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 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



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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.

27.09.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

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N.ANAND VENKATESH, J.

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