



W.P.No.28594 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.28594 of 2024

R.Jayapal,
Staff No: C 50472,
Special Grade Conductor – Retd.,
394/A, 6th Street,
S.A.Colony, Vyasarpadi,
Chennai – 600 039.

.. Petitioner

Vs.

1.The Managing Director,
Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Illam,
Mount Road, Pallavan Salai,
Chennai – 600 002.

2.The Administrator,
The Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar House,
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 settle



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the interest for the belated payment of retirement benefits such as Gratuity, Earned Leave, Commutation of Pension, Provident fund and other retirement benefits payable to the petitioner with 6% rate of interest within the time frame that may be stipulated by this Court.

For petitioner : Mr.N.Sudhagar Nagaraj
For R1 : Mr.R.Balaji
Standing Counsel
For R2 : 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 settle the interest for the belated payment of retirement benefits such as gratuity, earned leave, commutation of pension, provident fund and other retirement benefits payable to the petitioner with 6% rate of interest within the time frame that may be stipulated by this Court.

2.The case of the petitioner is that he joined the services of the 1st respondent in the year 1998 and retired from his service on 30.11.2018.



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3.The grievance of the petitioner is that his terminal benefits were settled belatedly with a long delay only on 20.09.2019 without any interest. Hence, the petitioner sent representation dated 08.04.2024 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 1st respondent and the learned Standing Counsel for the 2nd 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 2nd 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.

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6.The petitioner is directed to submit a fresh representation to the 2nd respondent along with a copy of this order. No costs.

27.09.2024

(1/4)

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1.The Managing Director,
Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Illam, Mount Road,
Pallavan Salai, Chennai – 600 002.

2.The Administrator,
The Tamil Nadu State Transport Corporation
Employees Pension Trust,
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N.ANAND VENKATESH, J.

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