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W.P.No.29043 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.29043 of 2024

C.Sivaprakasam

.. Petitioner

(Pay Roll No: 06038, PPO No: 4165)

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.,
Vellore Region,
Rangapuram, Vellore – 632 009.

3.The Administrator,
Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
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 pay interest to the petitioner at the rate of 8% per annum for the belated payment of his Leave Liability, Gratuity, Commutation and Provident Fund amount within a time limit to be stipulated by this Court.



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For petitioner : Mr.P.Mohanraj
For RR 1 & 2 : Mr.R.Venkatesa Perumal
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 pay interest to the petitioner at the rate of 8% per annum for the belated payment of his Leave Liability, Gratuity, Commutation and Provident Fund amount within a time limit to be stipulated by this Court.

2.The case of the petitioner is that he joined as Driver in the respondent Corporation in the year 1987 and he retired from his service on 31.05.2022.

3.The grievance of the petitioner is that after his retirement, the petitioner was paid with his terminal benefits belatedly on 25.06.2023. Hence, the petitioner sent representation dated 21.08.2024 to the



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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 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

3rd respondent along with a copy of this order. No costs.

03.10.2024

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

To

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Tamil Nadu State Transport Corporation (Villupuram) Limited,
3/137, Salamedu
Villupuram – 605 602.

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N.ANAND VENKATESH, J.

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