



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29270 of 2024

A.Murugesan

... Petitioner

Vs.

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

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to disburse the belated payment of interest amount of provident Fund, Gratuity, Earned Leave Salary and unsettled benefits of Earned Leave surrender in the years 2009-2011, 12(3) Settlement arrears and 10 days salary amount with effect from 01.07.2022 within the stipulated time as may be fixed by this Court.



For Petitioner : Mr.N.Desinghu

For Respondent : Mr.K.Raja

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 unsettled benefits of Earned Leave surrender in the years 2009-2011, 12(3) Settlement arrears and 10 days salary amount with effect from 01.07.2022 within the stipulated time as may be fixed by this Court.

2.The case of the petitioner is that he was working as a Driver in the respondent Corporation from 03.04.1991. After completion of 31 years of service, he retired from service as “Senior Grade Senior Driver” on 30.06.2022.

3.The grievance of the petitioner is that there was a delay in settling the terminal benefits. In view of the same, the petitioner has sought for payment of



interest towards the delay in settlement of the terminal benefits. The petitioner in this regard had made a representation to the respondent on 12.09.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4. Heard Mr.N.Desinghu, learned counsel for petitioner and Mr.K.Raja, learned Standing Counsel for 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 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.



WEB COPY



N. ANAND VENKATESH, J.

ssr

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

03.10.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

(2/3)

To

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

W.P.No.29270 of 2024