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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29508 of 2024

G.Sundaramoorthy

... Petitioner

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,
Anna Salai, Chennai – 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the Petitioner a sum of Rs.15,995/- towards difference in gratuity and a sum of



Rs.76,929/- towards leave encashment along with arrears of salary for the period from 01.09.2016 to 31.03.2017 and arrears of pension from 01.04.2017 to 31.08.2019 amounting to Rs.14,036/- together with interest at the rate of 8% from the date of respective entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.

For Petitioner : Mr.J.Lakshminarayanan

For Respondents : Mr.R.Venkatesaperumal
Standing Counsel for R1 & R2

Mr.C.S.K.Sathish
Standing Counsel for R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to disburse the Petitioner a sum of Rs.15,995/- towards difference in gratuity and a sum of Rs.76,929/- towards leave encashment along with arrears of salary for the period from 01.09.2016 to 31.03.2017 and arrears of pension from 01.04.2017 to 31.08.2019 amounting to Rs.14,036/- together with interest at the rate of 8% from the date of respective entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.



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2.The case of the petitioner is that he was working as a Checking Inspector in the respondent Corporation. After completion of his service, he retired from service on 31.03.2017.

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 respondents on 12.08.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.J.Lakshminarayanan, learned counsel for petitioner and Mr.R.Venkatesaperumal, learned Standing Counsel for respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel for 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 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.

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

15.10.2024

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

To

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Tamil Nadu State Transport Corporation (Villupuram) Ltd,
3/137, Salamedu,



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N. ANAND VENKATESH, J.

ssr

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