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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29388 of 2024

A.Loganathan

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,

Rep. by its Managing Director,
37, Mettupalayam Road,
Coimbatore-43.

2.The Tamil Nadu State Transport Corporation Employees' Pension Fund Trust.

Rep. by its Administrator,
Thiruvalluvar Illam
Pallavan Salai,
Chennai – 2.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay the petitioner interest for the belated payment of the Provident Fund and the Earned Leave / Medical Leave Salary, at the rate of 12% per annum; to pay the petitioner difference in wages for the period from 01.01.2022 to 31.07.2022, the difference in earned leave/medical leave salary and the arrears of difference in



pension for the period from 01.08.2022 to 28.02.2023 based on his revised salary as on the date of his retirement as per the settlement dated 24.08.2022 with interest at the rate of 12 percentage per annum to pay the amounts payable under the Family Benefit Fund, Social Security Scheme, Post Retirement Benefit Scheme and the IRT Contribution with interest at the rate of 12% per annum, within a specified time.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.C.Gouthamaraj
Standing Counsel for R1
Mr.C.S.K.Sathish
Standing Counsel for R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay the petitioner interest for the belated payment of the Provident Fund and the Earned Leave / Medical Leave Salary, at the rate of 12% per annum; to pay the petitioner difference in wages for the period from 01.01.2022 to 31.07.2022, the difference in earned leave/medical leave salary and the arrears of difference in pension for the period from 01.08.2022 to 28.02.2023 based on his revised salary as on the date of his retirement as per the settlement dated 24.08.2022 with interest at the rate of 12 percentage per annum



to pay the amounts payable under the Family Benefit Fund, Social Security Scheme, Post Retirement Benefit Scheme and the IRT Contribution with interest at the rate of 12% per annum, within a specified time.

2.The case of the petitioner is that he was working as a Conductor in the respondent Corporation from 10.07.1990. After completion of 32 years of service, he retired from service on 31.07.2022.

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 respondents on 08.09.2023. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.V.Ajoy Khose, learned counsel for petitioner
Mr.C.Gouthamaraj, learned Standing Counsel for 1st respondent and
Mr.C.S.K.Sathish, learned Standing Counsel for 2nd respondent.



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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.

01.10.2024

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

(2/4)



To
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1.The Managing Director

Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore-43.

2.The Administrator.

Tamil Nadu State Transport Corporation Employees' Pension Fund Trust,
Thiruvalluvar Illam
Pallavan Salai,
Chennai – 2.



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N. ANAND VENKATESH, J.

SSR

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