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Writ Petition No.31100 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.31100 of 2024

S.Jothi

S/o.V.Shanmugam

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu, Villupuram,
Villupuram District - 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road,
Cuddalore, Cuddalore District - 607 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to pay interest at 10% for the belated payment of Gratuity, P.F and Leave Salary to the petitioner.

For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay interest at 10% for the belated payment of Gratuity, P.F and Leave Salary to the petitioner.

2. Heard Mr.S.T.Varadarajalu, learned counsel for petitioner and Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for respondents.

3. The case of the petitioner is that the petitioner joined the service of the respondent corporation as Helper Trainee in the year 1982. After completing 40 years of service, the petitioner retired from service on 31.07.2022 on attaining the age of superannuation.

4. The grievance of the petitioner is that even though he retired from service as early as on 31.07.2022, the respondent has settled the retirement benefits belatedly without interest for the period of delay. In view of the same, the petitioner submitted a representation to the respondents on 28.08.2024 to pay interest for the belated payment. Since



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the same was not considered, the present writ petition has been filed.

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5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioner, there shall be a direction to the respondents to pay the eligible and admissible amount with interest at the rate of 6% p.a. for the belated payment to the petitioner 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 interest at the rate of 12% p.a. 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.

This Writ Petition is disposed of with the above direction. No costs.

25.10.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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N.ANAND VENKATESH, J

gm

To

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