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Writ Petition No.30234 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.30234 of 2024

- 1.M.Shanmugam
- 2.M.Matheswaran
- 3.A.Kothandaraman
- 4.P.Krishnaswami
- 5.K.Arumugam
- 6.P.K.Shanmugam

... Petitioners

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
37, Mettupalayam Road,
Coimabtoe - 43.

- 2.The General Manager,
Tamil Nadu State Transport
Corporation Ltd.,
Erode Region,
Chennimalai Road, Erode - 638 001.

- 3.The Administrator,
Tamil Nadu State Transport Corporation EPF Trust,
Thiruvalluvar House, Anna Salai,
Chennai - 2.

... 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 for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave, Surrender Leave and Commuted Value of



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Pension at the rate of 12% per annum, within a specified time as may be fixed by this Court.

For Petitioners : Mr.N.Palani Kumar

For Respondents : Mr.M.Murali Vinoth
Standing Counsel [R1 & R2]
Mr.C.S.K.Sathish
Standing Counsel [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave, Surrender Leave and Commuted Value of Pension at the rate of 12% per annum, within the specified time fixed by this Court.

2. Heard Mr.N.Palani Kumar, learned counsel for petitioners, Mr.M.Murali Vinoth, learned Standing Counsel appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel appearing for third respondent.

3. The case of the petitioners is that they were appointed in the respondent transport corporation and after completion of more than 30 years of service, the petitioners had retired from service on attaining the



age of superannuation.

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4. The grievance of the petitioners is that the terminal benefits have been settled with a delay and no interest has been paid for the delay period. In view of the same, the petitioners submitted representations to the respondents on various dates to pay interest for the delay period. Since the same was not considered, the present writ petition has been filed.

5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioners, 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 petitioners 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.

N.ANAND VENKATESH, J



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6. The petitioners are directed to submit a fresh individual representation to the respondents along with a copy of this order.

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

17.10.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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To

1.The Managing Director,
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Coimabtoe - 43.

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