



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.30155 of 2024

K.B.Nanjundan

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation (Kovai) Ltd,
Rep. by its Managing Director,
No37, Mettupalayam Road,
Coimbatore – 641 043.

2.Tamil Nadu State Transport Corporations Employees' Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam, Pallavan 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 pay the Petitioner interest at the rate of 12 percent per annum for the belated payment of his PF, gratuity, commuted value of pension and earned leave salary, to pay the amounts towards 30 days of earned leave surrendered by the petitioner, while he was in service and to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contributions and to refund of Contributions under



the Post Retirement Benefit Scheme, together with interest at the rate of 12 percent within a specified time, as may be fixed by this Court.

For Petitioner : Mr.R.Krishnaswamy

For Respondents : Mr.M.Murali Vinodh
Standing Counsel for R1

Mr.C.S.K.Sathish Kumar
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 at the rate of 12 percent per annum for the belated payment of his PF, gratuity, commuted value of pension and earned leave salary, to pay the amounts towards 30 days of earned leave surrendered by the petitioner, while he was in service and to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contributions and to refund of Contributions under the Post Retirement Benefit Scheme, together with interest at the rate of 12 percent within a specified time, as may be fixed by this Court.



2.The case of the petitioner is that he was working as a Conductor in the respondent Corporation from 04.03.1990. After completion of 29 years of service, he retired from service on 31.10.2019.

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 03.05.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.R.Krishnaswamy, learned counsel for petitioner, Mr.M.Murali Vinodh, learned Standing Counsel for the 1st respondent and Mr.C.S.K.Sathish Kumar, learned Standing Counsel for the 2nd 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 respondent along with a copy of this order. No costs.

15.10.2024

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

(5/6)

To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kovai) Ltd,
No37, Mettupalayam Road,
Coimbatore – 641 043.



2. The Administrator,
Tamil Nadu State Transport Corporations Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.



WEB COPY



N. ANAND VENKATESH, J.

SSR

W.P.No.30155 of 2024

15.10.2024

(5/6)