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W.P.No.30580 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30580 of 2024

K.Nagarajan, (Rtd. Staff No.CR5474)

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road, Salem – 636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Bharathipuram, Dharmapuri District.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Welfare Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the respondents to
disburse the belated payment of interest amount of Provident Fund,
Gratuity, Earned Leave Surrender, Commutation amounts and other



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unsettled benefits Arrears of Leave Surrender in while in service, ERBS Pension and DA Arrears with effect from 01.02.2016 within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu
For RR 1 & 2 : Mr.K.Raja
Standing Counsel
For R3 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, EL Surrender, Commutation amounts and other unsettled benefits Arrears of Leave Surrender in while in service, ERBS Pension and DA Arrears with effect from 01.02.2016 within the stipulated time as may be fixed by this Court.

2.The case of the petitioner is that he joined as Conductor in the respondent Corporation in the year 1990 and he retired from his services on 31.01.2016.



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3.The grievance of the petitioner is that after his retirement, the terminal benefits were paid belatedly and benefits of Arrears of leave surrender, ERBS Pension and DA arrears were not settled to the petitioner till date. Hence, the petitioner sent representation dated 15.07.2024 to the respondents seeking to take steps to settle his terminal benefits with interest. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.

4.Heard the learned counsel for the petitioner, learned Standing Counsel for the respondents 1 & 2 and the learned Standing Counsel for the 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 respondents to pay the eligible amount with interest at the rate of 6% per annum for the delay period in settling the terminal benefits. This payment shall be made within a period of six (6) weeks



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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 3rd respondent along with a copy of this order. No costs.

17.10.2024

(2/2)

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

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No.12, Ramakrishna Road, Salem – 636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
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N.ANAND VENKATESH, J.



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3.The Administrator,
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