



WEB COPY



W.P.No.34404 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.34404 of 2024

K.P.Elango

...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 to issue a Writ of Mandamus directing the respondent to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Surrender Commutation amounts and other unsettled benefits arrears of leave surrender in while in service, ERBS Pension, and



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DA arrears with effect from 01.05.2019 within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the respondents to disburse the interest on the belated payment of Provident Fund, Gratuity, Earned Leave Surrender Commutation amounts and other unsettled benefits arrears of leave surrender in while in service, ERBS Pension, and DA arrears with effect from 01.05.2019.

3. The case of the petitioner is that he is an retired employee of the Respondent/Corporation. The grievance of the petitioner is that he was settled with the terminal benefits after the lapse of 20 months and made



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a request with the first respondent to disburse the interest on the belated terminal benefits, but the first respondent has not turned up. Therefore, the petitioner gave a representation to the first respondent on 22.07.2024 with regard to the said issue. However, no action has been taken by the first respondent till date. Hence this petition.

4.The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondent submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest per annum as per the earlier orders of this Court.

6. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representation of the petitioner and pass orders on the claim made by the



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petitioner within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

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Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

Smn

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