



WEB COPY



Writ Petition No.31483 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.31483 of 2024

P.Selvaraj
S/o.Poovan

... Petitioner

Vs.

1.The Managing Direcotr,
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

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Surrender and commutation and other unsettled benefits, arrears of leave surrender while in service, pension arrears and



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DA arrears with effect from 01.10.2019 within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu
For Respondents : Mr.K.Raja
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 disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Surrender and commutation and other unsettled benefits, arrears of leave surrender while in service, pension arrears and DA arrears with effect from 01.10.2019 within the stipulated time fixed by this Court.

2. Heard Mr.N.Desinghu, learned counsel for petitioner, Mr.K.Raja, learned Standing Counsel appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel appearing for third respondent.



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3. The case of the petitioner is that he joined the services of the respondent transport corporation as Conductor on 25.04.1995 and he retired from service on 30.09.2019 as Selection Grade Senior Conductor on attaining the age of superannuation.

4. The grievance of the petitioner is that even though he retired from service as early as on 30.09.2019, the respondents have not settled the entire retirement benefits and only a portion of the amount has been settled. In view of the same, the petitioner submitted a representation to the respondents on 27.08.2024 to disburse the above benefits with interest. 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 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%



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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. Consequently, connected miscellaneous petition is closed.

25.10.2024

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To

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3. The Administrator,
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N.ANAND VENKATESH, J

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