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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.30766 of 2024

E.Rose

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd,
Kancheepuram Regional Office, Ponnerikarai,
Kancheepuram – 631 552.

3.The Administrator,
Tamil Nadu State Transport Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
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 interest amounts to the Petitioner for the belatedly paid Provident Fund, Service



Gratuity, Leave Salary and Commutation of Pension amount at the rate of 6 percentage per annum for 7 months of delayed payment in the light of the Judgement passed by this Court on 26.06.2024 in W.P.No.16674 of 2024.

For Petitioner : Mr.N.Ishak

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel for R1 & R2

Mr.C.S.K.Sathish
Standing Counsel for R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the Respondents to pay interest amounts to the Petitioner for the belatedly paid Provident Fund, Service Gratuity, Leave Salary and Commutation of Pension amount at the rate of 6 percentage per annum for 7 months of delayed payment in the light of the Judgement passed by this Court on 26.06.2024 in W.P.No.16674 of 2024.

2.The case of the petitioner is that he was working as a Driver in the respondent Corporation from 17.06.1988. After completion of 34 years of service, he retired from service as “Driving Instructor” on 31.10.2022.



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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 14.09.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.N.Ishak, learned counsel for petitioner and Mr.R.Venkatesa Perumal, learned Standing Counsel for respondents 1 and 2 and Mr.C.S.K.Sathish, 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 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.

23.10.2024

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

To

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N. ANAND VENKATESH, J.

ssr

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23.10.2024

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