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W.P.No.30630 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30630 of 2024

K.Rajendran, TR 1033

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Viluppuram Region,
No.3/137, Salamedu, Vazhudhureddy Post,
Viluppuram – 605 602.

2.The Administrator,
Tamil Nadu State Transport Corporation Employees
Post Retirement 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 pay the difference in provident fund arrears, the difference in leave salary, the difference in gratuity, the difference in commutation arrears, EL surrender, last month's 11 days salary and pension arrears with interest at the rate of 8% per annum as per 14th wage settlement dated 24.08.2022 to the petitioner within a specified time.



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For petitioner : Mr.E.Rajesh Kumar
For R1 : Mr.R.Venkatesa Perumal
Standing Counsel
For R2 : 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 pay the difference in provident fund arrears, the difference in leave salary, the difference in gratuity, the difference in commutation arrears, EL surrender, last month's 11 days salary and pension arrears with interest at the rate of 8% per annum as per 14th wage settlement dated 24.08.2022 to the petitioner within a specified time.

2.The case of the petitioner is that he joined in the respondent Corporation in the year 1989 and he retired from his service on 31.12.2019.

3.The grievance of the petitioner is that his terminal benefits were settled based on the pre-revised pay instead of the revised pay and that his difference in leave salary has to be paid as per the revised pay. Pension



arrears, difference in leave salary, difference in gratuity, difference in commutation and last month's 11 days salary have not been settled to the petitioner till date. Hence, the petitioner sent representation dated 10.09.2024 to the respondents seeking for payment of 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 1st respondent and the 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 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 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.



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6.The petitioner is directed to submit a fresh representation to the 2nd respondent along with a copy of this order. No costs.

15.10.2024

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

To

1.The Managing Director,
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N.ANAND VENKATESH, J.

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