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W.P.No.30695 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30695 of 2024

P.Velusamy

.. Petitioner

Vs.

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Rep. By its Managing Director,
Coimbatore.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to pay the petitioner the difference / arrears of wages for the period from 01.09.2019 to 31.12.2019 and also terminal benefits namely Gratuity and Encashment of Leave, after revising the same, based on the scale of pay payable to him on the month of his retirement, as per settlement dated 24.08.2022 as admitted by the respondent in the RTI information dated 04.10.2023, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.M.Murali Vinodh
Standing Counsel



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ORDER

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This writ petition has been filed for the issue of writ of mandamus directing the respondent to pay the petitioner the difference / arrears of wages for the period from 01.09.2019 to 31.12.2019 and also terminal benefits namely Gratuity and Encashment of Leave, after revising the same, based on the scale of pay payable to him on the month of his retirement, as per settlement dated 24.08.2022 as admitted by the respondent in the RTI information dated 04.10.2023, together with 18% interest per annum, within a time frame as may be fixed by this Court.

2.The case of the petitioner is that he joined the services of the respondent Corporation in the year 1985 and retired from service on 31.12.2019.

3.The grievance of the petitioner is that his terminal benefits were paid belatedly that too not as per the revised wages payable to him. Hence, the petitioner sent representation dated 10.07.2024 to the respondent seeking for payment of interest for the belated payment. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.



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4. Heard the learned counsel for the petitioner and the learned Standing Counsel for the 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 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.

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

18.10.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No



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N.ANAND VENKATESH, J.

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To

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Rep. By its Managing Director,
Coimbatore.

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