



W.P.No.30699 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 18.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30699 of 2024

J.Felix Devaraj

.. 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 interest at the rate of 18% per annum, for the period of delay from 01.08.2019 to 24.01.2021, in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leaves within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner	:	Mr.V.Ajoy Khose
For Respondent	:	Mr.M.Murali Vinodh Standing Counsel



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ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondent to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.08.2019 to 24.01.2021, in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leaves 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 1992 and retired from service on 31.07.2019.

3.The grievance of the petitioner is that after his retirement, his terminal benefits were paid to him only on 24.01.2021. Hence, the petitioner sent representation dated 23.06.2024 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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: Yes / No



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Internet : Yes / No
Neutral Citation : Yes / No

N.ANAND VENKATESH, J.

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To

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