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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.30860 of 2024

S.Saminathan

... Petitioner

Vs.

1.The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Erode Region,
Rep. by its Managing Director,
Erode.

2.The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 2.

... 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 the petitioner interest at the rate of 18% per annum, for the period of delay from 01.07.18 to 21.09.19, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Leaves and Commutated Value of pension, within a time frame as may be fixed by this



Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioners : Mr.V.Ajoy Khose

For Respondents : Mr.M.Murali Vinodh
Standing Counsel for R1

Mr.C.S.K.Sathish
Standing Counsel for R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.07.18 to 21.09.19, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Leaves and Commutated Value of pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

2.The case of the petitioner is that he was working as a Conductor in the respondent Corporation from 24.05.1986. After completion of 33 years of service, he retired from service as “Special Grade Conductor” on 30.06.2018.



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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 20.06.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.V.Ajoy Khose, learned counsel for petitioner and Mr.M.Murali Vinodh, learned Standing Counsel for 1st respondent and Mr.C.S.K.Sathish, learned Standing Counsel for 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 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 respondents along with a copy of this order. No costs.

23.10.2024

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

To

1.The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Erode Region,
Rep. by its Managing Director,
Erode.



2. The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
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Chennai – 2.



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N. ANAND VENKATESH, J.

SSR

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