



WEB COPY



Writ Petition No.31514 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.31514 of 2024

M.Antony Selvaraj
S/o.S.Muthusamy

... Petitioner

Vs.

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

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of 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 01.06.2018 to 20.09.2019, in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of Leaves within a time frame.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.C.Gouthamaraj
Standing Counsel



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ORDER

This writ petition has been filed seeking issuance of 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 01.06.2018 to 20.09.2019, in paying the amounts paid towards his terminal benefits, namely, EPF Employee's Contribution, Gratuity and Encashment of Leaves within a time frame.

2. Heard Mr.V.Ajoy Khose, learned counsel for petitioner and Mr.C.Gouthamaraj, learned Standing Counsel appearing for respondent.

3. The case of the petitioner is that he was appointed as Conductor in the respondent transport corporation on 28.05.1986 and after completion of more than 32 years of service, the petitioner had retired from service on 31.05.2018 on attaining the age of superannuation.

4. The grievance of the petitioner is that though the petitioner had retired from service on 31.05.2018, the terminal benefits have been



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settled only on 20.09.2019 and no interest has been paid for the delay period. In view of the same, the petitioner submitted a representation dated 20.06.2024 to the respondent to pay interest for the delay period. Since the same was not considered, the present writ petition has been filed.

5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioner, there shall be a direction to the respondent to pay the eligible and admissible amount with interest at the rate of 6% p.a. for the belated payment to the petitioner 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 interest at the rate of 12% p.a. 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 individual representation to the respondent along with a copy of this order.



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N.ANAND VENKATESH, J

gm

This Writ Petition is disposed of with the above direction. No costs.

22.10.2024

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

gm

To

The Managing Director,
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore.

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