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W.P.No.32536 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.32536 of 2024 &

W.M.P.No.35363 of 2024

1. C.Kalaivanan
2. S.Saravanakumar
3. E.Anbusekar
4. D.Arivazhagan

... Petitioners

Versus

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Anna Salai,
Chennai - 600 002
2. The Administrator
Tamilnadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600 002

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of terminal benefits such as Gratuity, Provident Fund, Leave Salary and commutation of pension amount to the petitioners.



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For Petitioner : Mr.S.T.Varadarajalu
For Respondents : Mr.R.Balaji

ORDER

The present Writ Petition has been filed by the petitioners for issuance of a Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of terminal benefits such as Gratuity, Provident Fund, Leave Salary and Commutation of pension amount to the petitioners.

2. The case of the petitioners is that the petitioners are retired employees from the Respondent/Corporation. The grievance of the petitioners is that the retirement benefits have been made belatedly and hence the petitioners are entitled for interest on the belated payment, therefore, the petitioners have made a request with the respondents to disburse the interest for the belated payment, but the respondents have not turned up. Therefore, the petitioners gave a representation to the 1st respondent on 18.04.2024, 13.05.2024, 23.05.2024 and 10.06.2024 with regard to the said issue. However, no action has been taken by the respondents till date. Hence this petition.



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3. The learned counsel for the petitioners submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioners' representation and pass orders.

4. The learned standing counsel appearing for the respondents submitted that the representation of the petitioners will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders of this Court.

5. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representations of the petitioners and pass orders on the claim made by the petitioners within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.



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6. With the above directions, this Writ Petition stands disposed of.

Consequently, connected miscellaneous petition is closed. No order as to costs.

07.11.2024

Index : Yes/No
Internet: Yes / No
Speaking order : Yes/No

ssd

To

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Anna Salai,
Chennai - 600 002

2. The Administrator
Tamilnadu State Transport Corporation,
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V.BHAVANI SUBBAROYAN, J.

ssd

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