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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.31996 of 2024

K.Elango

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem – 636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region,
Bharathipuram,
Dharmapuri.

3.The Tamil Nadu Transport Corporation Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to disburse the interest for belated payment of provident Fund and Gratuity amount and consequently direct the Respondents to settle the unsettled benefits of last 6



days salary and ERBS amount within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.K.Raja
Standing Counsel for R1 & R2

Mr.C.S.K.Sathish
Standing Counsel for R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the Respondents to disburse the interest for belated payment of provident Fund and Gratuity amount and consequently direct the Respondents to settle the unsettled benefits of last 6 days salary and ERBS amount within the stipulated time as may be fixed by this Court.

2.The case of the petitioner is that he was working as a Conductor in the respondent Corporation from 06.09.1994. After completion of 25 years of service, he retired from service as “Selection Grade Senior Conductor” on 30.04.2019.



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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 06.09.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.J.Pradeep, learned counsel for petitioner, Mr.K.Raja, learned Standing Counsel for 1st & 2nd respondents and Mr.C.S.K.Sathish, learned Standing Counsel for 3rd 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 respondent along with a copy of this order. No costs.

29.10.2024

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

(1/3)

To

1.The Managing Director,
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No.12, Ramakrishna Road,
Salem – 636 007.

2.The General Manager,
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Dharmapuri Region,
Bharathipuram,
Dharmapuri.



3. The Administrator,
Tamil Nadu Transport Corporation Pension Fund Trust,
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N. ANAND VENKATESH, J.

ssr

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