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W.P.No.33001 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33001 of 2024

Kandasamy

...Petitioner

Vs

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

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

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to disburse the 6% interest for belated payment of Provident Fund, Gratuity and Earned Leave Salary and consequently direct the Respondents to pay the unsettled benefits of leave encashment amount and last 7 days salary within the stipulated time as may be fixed by this Court and pass orders



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W.P.No.33001 of 2024

For Petitioner : Mr.J. Pradeep
For Respondents : Mr.K. Raja
Standing Counsel
ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the Respondents to disburse the 6% interest for belated payment of Provident Fund, Gratuity and Earned Leave Salary and consequently direct the Respondents to pay the unsettled benefits of leave encashment amount and last 7 days salary within the stipulated time and pass orders.

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 there terminal benefits. The petitioner in this regard had made a representation to the first respondent on 24.07.2024. Since, the same did no evoke any



W.P.No.33001 of 2024

response, the present writ petition has been filed before this Court.

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

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

6. Considering the facts of the case, this Court on submission made by either side counsel, directs the respondents to consider the representation of the petitioner and pay eligible amount to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount. The payment shall be made within a period of twelve 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



W.P.No.33001 of 2024

WEB COPY

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.

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

No order as to costs.

11.11.2024

Index: Yes/No

Speaking order/Non-speaking order

smn

To

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

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



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W.P.No.33001 of 2024

V.BHAVANI SUBBAROYAN,J.

Smn

W.P.No.33001 of 2024

11.11.2024

3/3