



W.P.No.34603 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.34603 of 2024

Vaithilingam

...Petitioner

-Vs-

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

2.The Administrator,
The Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 02.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents to disburse the interest of 12% for belated payment of provident fund, gratuity, pension commutation amount and leave surrender within the stipulated time as may be fixed by this Court and pass such further orders.



WEB COPY



W.P.No.34603 of 2024

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.K.Raja
Standing Counsel

ORDER

Mr.K.Raja, learned Standing Counsel takes notice on behalf of the respondents. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed seeking a direction to the respondents to disburse the interest of 12% for belated payment of provident fund, gratuity, pension commutation amount and leave surrender within a stipulated period of time.

3. Learned counsel appearing for the petitioner submitted that he was joined as a Driver in the erstwhile, Anna Transport Corporation, Salem, now renamed as Tamil Nadu State Transport Corporation (Salem) Ltd, Dharmapuri region. Thereafter the petitioner was without any unblemished service and retired from service under Voluntary Retirement Scheme on 09.03.2022. At the time of retirement, the Petitioner was serving as



W.P.No.34603 of 2024

"Selection Grade Senior Driver" in the 1st Respondent Corporation. After his retirement, the Provident Fund, Gratuity, Pension Commutation and Leave Surrender were belatedly paid on 13.03.2023. Hence the Petitioner is eligible for interest amounts for belated payments of Provident Fund, Gratuity, pension commutation and Leave Surrender amount.

4. Learned counsel further submitted that the Petitioner had approached the Respondents for the payment of above benefits vide his representation dated 28.10.2024 and all such representations and notices sent calling upon the Respondents to settle the interest for belated payment and unsettled retirement benefits were not considered and the Respondents have not take any action so far. Hence the writ petition is filed.

5. Heard both sides and perused the materials available on record.

6. Without going into the merits of the case, the respondent is directed to pay the eligible and admissible amount with interest at the rate of 6% per annum for the belated payment to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. It is



W.P.No.34603 of 2024

made clear that if the amount is not paid within the time frame by this Court, it will fetch 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.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

26.11.2024

cda

Index : Yes/No

Speaking/Non Speaking order



WEB COPY



W.P.No.34603 of 2024

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (salem) Limited,
No.12, Ramakrishna Road,
Salem – 636 007.
- 2.The Administrator,
The Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 02.



WEB COPY



W.P.No.34603 of 2024

J.SATHYA NARAYANA PRASAD, J.

cda

W.P.No.34603 of 2024



WEB COPY



W.P.No.34603 of 2024

26.11.2024