



W.P.No.33746 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33746 of 2024

S. Balasubramanian(DR33833)

...Petitioner

Vs

Tamil Nadu State
Transport Corporation (Salem) Limited,
Represented by its Managing Director,
No.12, Ramakrishna Road,
Salem – 7

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to pay interest to the petitioner at the rate of 18% per annum for the belated payment of 305 days in paying the PF, gratuity and earned leave salary with interest at the rate of 18% within a specified time as fixed by this Court and pass orders.

For Petitioner : Mr.R. Krishna Swamy

For Respondents : Mr.K. Raja
Standing Counsel



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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 pay interest to the petitioner at the rate of 18% per annum for the belated payment of 207 days in paying the PF, gratuity and earned leave salary with interest at the rate of 18%

3. The case of the petitioner is that he is an retired employee from the Respondent/Corporation. The grievance of the petitioner is that the respondent settled the retirement benefits on 31.05.2023 whereas the petitioner retired on 31.07.2022 i.e after a delay of 305 days. Hence, the petitioner made a representation to the respondent on 07.10.2024 to pay interest for the belated payment. However, no action has been taken by the respondent till date. Hence this petition.



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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 respondent 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 respondent to consider the representation of the petitioner and pass orders on the claim made by the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order. With regard to interest for the belated payment it will be 6% interest per annum interest 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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7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order

smn

To

Tamil Nadu State
Transport Corporation (Salem) Limited,
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Salem – 7



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V.BHAVANI SUBBAROYAN,J.

Smn

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