



WEB COPY



W.P.No.34940 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.34940 of 2024

Munusamy

...Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem – 636 705.

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

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

...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 belated payment of interest amount of provident fund, gratuity, pension commutation and leave liability amount and consequently direct the respondents to settle the other unsettled benefits



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of leave surrender amount and last 7 days salary within the stipulated time as may be fixed by this Court and pass such further orders.

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 has been filed directing the respondents to disburse the belated payment of interest amount of provident fund, gratuity, pension commutation and leave liability amount and consequently direct the respondents to settle the other unsettled benefits of leave surrender amount and last 7 days salary within the stipulated time.

3. Learned counsel appearing for the petitioner submitted that the petitioner was joined as a Conductor on 11.09.1984 in the erstwhile, Annai



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Sathiya Transport Corporation Ltd now renamed as Tamilnadu State Transport Corporation (Salem) Ltd. Thereafter, the Petitioner was retired from service on 31.03.2018. At the time of retirement, he was serving as Senior Checking Inspector in the Traffic wing of the 2nd Respondent Corporation under the control of 1st Respondent. He was drawing basic pay of Rs.50,100/- + Dearness Allowance of Rs.3,507/- + HRA of Rs.2,900/- at the time of retirement. After his retirement, terminal benefits like Provident Fund, Gratuity, Pension Commutation and Leave Liability amount were belatedly paid on 23.11.2018 after 8 months. Hence, the Petitioner is eligible for interest amounts for belated payments of Provident Fund, Gratuity, Pension Commutation and Leave Liability amount. He was not paid Leave Surrender amount and 7 days of salary till this date.

4. Learned counsel further submitted that the Petitioner had approached the Respondents for the payment of above benefits vide his representation dated 06.09.2024 and all such representations and notices were sent calling upon the Respondents and no action is taken to settle his terminal benefits since the same is required for the Petitioner to take treatment and to meet the family expenses. Since the Respondents have not



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responded so far, the writ petition is filed.

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5. Learned Standing Counsel appearing for the respondents submits that the petitioner's representation would be considered on merits and in accordance with law by the authority concerned.

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

7. Without going into the merits of the case, the first respondent is directed to consider the representation of the petitioner dated 06.09.2024 in regard to the disbursement of the belated payment of interest amount of provident fund, gratuity, pension commutation and leave liability amount and other unsettled benefits of leave surrender amount and last 7 days of salary along with 6% interest within a period of eight weeks from the date of receipt of a copy of this order.

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

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cda

Index : Yes / No

Speaking / Non-Speaking Order



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J.SATHYA NARAYANA PRASAD, J.

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