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W.P.No.35591 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.35591 of 2024

P.Karichiappan

... Petitioner

Vs.

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

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employee 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, Earned Leave Salary, Commutation and other unsettled benefits of 10 days Salary with effect from 01.03.2023 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja



WEB COPY



W.P.No.35591 of 2024

Standing Counsel

ORDER

This writ petition is filed to direct the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary, Commutation and other unsettled benefits of 10 days Salary with effect from 01.03.2023 within stipulated time as may be fixed by this Court.

2. The case of the petitioner is that the petitioner has joined as Driver in the respondent Corporation on 02.02.1990 and retired from service on 28.02.2023. After his retirement, the terminal benefits interest amount for belated payments of Provident Fund, Gratuity, Earned Leave Salary, Commutation and other unsettled benefits of 10 days salary amounts were not settled to the petitioner till date.

3. The learned counsel for the petitioner submitted that the petitioner has joined as Driver in the respondent Corporation on 02.02.1990 and retired from service on 28.02.2023. The terminal benefits were paid to the petitioner only on 30.10.2024, after a delay of 20 months. He has sent a representation to the respondents on 07.11.2024, but his representation was



W.P.No.35591 of 2024

not considered till date. Hence, he has filed this writ petition seeking interest amount of Provident Fund, Gratuity, Earned Leave Salary, Commutation and other unsettled benefits of 10 days Salary with effect from 01.03.2023.

4. Mr.K.Raja, the learned standing counsel takes notice for respondents.

5. The learned standing counsel submits that the petitioner's representation dated 07.11.2024 would be considered on merits and in accordance with law by the Authority concerned.

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

7. In view of the above, the respondent is directed to settle the terminal benefits with 6% interest for the belated period from 01.03.2023 to 30.10.2024 and to consider the same based on the representation of the petitioner dated 07.11.2024, and pass appropriate orders on merits and in accordance with law and as per rules, within a period of eight weeks from the date of a receipt of a copy of this order. If the benefits are not settled in eight weeks, the respondent shall pay interest of 12% for the delay period.



WEB COPY



W.P.No.35591 of 2024

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

25.11.2024

ssn

Index : Yes/No

Speaking/Non Speaking order

To

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WEB COPY



W.P.No.35591 of 2024

J.SATHYA NARAYANA PRASAD, J.,

ssn

W.P.No.35591 of 2024



WEB COPY



W.P.No.35591 of 2024

25.11.2024