



W.P.No.35594 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.35594 of 2024

V.Rajarajan

... Petitioner

Vs.

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

... Respondent

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 respondent to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary and other unsettled benefits of Arrears of Surrender Leave Salary for the year 2009-2011 & 2017-2018, 7th Pay Commission Arrears, Gratuity Difference Arrears and 10 days Salary with effect from 01.04.2018 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu

For Respondent : Mr.K.Raja
Standing Counsel



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ORDER

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This writ petition is filed to direct the respondent to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave Salary and other unsettled benefits of Arrears of Surrender Leave Salary for the year 2009-2011 & 2017-2018, 7th Pay Commission Arrears, Gratuity Difference Arrears and 10 days Salary with effect from 01.04.2018 within stipulated time as may be fixed by this Court.

2. The case of the petitioner is that the petitioner has joined as Junior Assistant in the respondent Corporation on 01.02.1985 and retired from service on 31.03.2018. After his retirement, the terminal benefits interest amount for belated payments of Provident Fund, Gratuity, Earned Leave Salary, and other unsettled benefits of Arrears of Surrender Leave Salary for the year 2009-2011 & 2017-2018, 7th pay commission arrears, Gratuity difference arrears and 10 days salary amounts were not settled to the petitioner till date.

3. The learned counsel for the petitioner has joined as Junior Assistant in the respondent Corporation on 01.02.1985 and retired from service on 31.03.2018. The terminal benefits were paid to the petitioner only



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on 01.11.2018, after a delay of 7 months. He has sent a representation to the respondent on 04.11.2024, but his representation was not considered till date. Hence, he has filed this writ petition before this Court.

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

5. The learned standing counsel submits that the petitioner's representation dated 04.11.2024 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 01.04.2018 to 01.11.2018 and to consider the same based on the representation of the petitioner dated 04.11.2024, and pass appropriate orders on merits and in accordance with law, 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



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respondent shall pay interest of 12% for the delay period.

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

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ssn

Index : Yes/No

Speaking/Non Speaking order

To

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



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J.SATHYA NARAYANA PRASAD, J.,

ssn

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