



W.P.No.35606 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.35606 of 2024

P.Eswaran

... 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
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, Earned Leave Salary, Commutation and other unsettled benefits of Arrears of Surrender Leave Salary for the year 2009-2011 & 2017-2018, 12(3) Wage Settlement Arrears and 10 days Salary with effect from 01.05.2019 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu



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For Respondents : Mr.K.Raja
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 Arrears of Surrender Leave Salary for the year 2009-2011 & 2017-2018, 12(3) Wage Settlement Arrears and 10 days Salary with effect from 01.05.2019 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 22.04.1986 and retired from service on 30.04.2019. After his retirement, the terminal benefits interest amount for belated payments of Provident Fund, Gratuity, Earned Leave Salary, Commutation and other unsettled benefits of Arrears of Surrender Leave Salary for the year 2009-2011 & 2017-2018, 12(3) Wage Settlement Arrears and 10 days Salary were not settled to the petitioner till date.

3. The learned counsel for the petitioner has joined as Driver in the respondent Corporation on 22.04.1986 and retired from service on



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30.04.2019. The terminal benefits were paid to the petitioner only on 01.02.2021, after a delay of 21 months. He has sent a representation to the respondents on 02.11.2024, 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 02.11.2024 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 respondents are directed to settle the terminal benefits with 6% interest for the belated period from 01.05.2019 to 01.02.2021 and to consider the same, based on the representation of the petitioner dated 02.11.2024, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of a receipt



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of a copy of this order. If the benefits are not settled in eight weeks, the respondents shall pay 12% interest for the delay period.

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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J.SATHYA NARAYANA PRASAD, J.,

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