



WEB COPY



W.P.No.35892 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.35892 of 2024

Sundararaju

...Petitioner

-Vs-

1.Tamil Nadu State Transport Corporation (Salem) Ltd.,
Rep. by its The Managing Director,
No.12, Ramakrishna Road,
Salem – 7.

2.Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 2.

...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 pay the petitioner interest at the rate of 18% per annum for the belated payment of petitioner's P.F., commuted value of pension and earned leave salary with interest at the rate of 18% within a specified time, as may be fixed by this Court.

For Petitioner : Mr.R.Krishnaswamy

For Respondents : Mr.K.Raja
Standing Counsel



W.P.No.35892 of 2024

ORDER

WEB COPY

Mr.K.Raja, learned Standing Counsel takes notice on behalf of the respondents. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking a direction to the respondents to pay the petitioner's interest at the rate of 18% per annum for the belated payment of his P.F., commuted value of pension and earned leave salary with interest at the rate of 18% within a specified time.

3. Learned counsel appearing for the petitioner contended that the petitioner joined the service in the respondent Corporation as a Conductor on 06.07.1987 and got permanent after completing 240 days of service. After earning several promotions, he was working as Senior Grade Conductor. After rendering 28 years of service, he retired from service on 30.04.2019. Even though he retired from service as early as on 30.04.2019, the respondents paid and settled him the P.F., earned leave salary and commuted value of pension only on 22.01.2021 after a delay of 640 days. However, no interest has been paid by the respondents. Hence the petitioner made a



W.P.No.35892 of 2024

representation on 29.05.2024 requesting the respondents to pay his interest at the rate of 18% per annum for the belated payment of P.F., earned leave salary and commuted value of pension. But, till date there has been no action initiated by the respondents. Hence the writ petition is filed.

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

5. Without going into the merits of the case, the respondent is directed to pay the eligible and admissible amount with interest at the rate of 6% per annum for the belated payment to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame by this Court, it will fetch interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation.

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

26.11.2024

cda



W.P.No.35892 of 2024

Index : Yes / No
Speaking / Non-Speaking order

WEB COPY

J.SATHYA NARAYANA PRASAD, J.

cda

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem – 7.
- 2.Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 2.

W.P.No.35887 of 2024

26.11.2024