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W.P.No.36138 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.36138 of 2024

P. Venkatesan

...Petitioner

Vs

1.The General Manager,
Tamil Nadu State Transport Corporation(VPM) Ltd.,
Tiruvannamalai Region,
Vengikal, Tiruvannamalai – 606 604.

2. The Administrator,
Tamil Nadu State Transport Corporation Employees
Post Retirement Welfare Fund Trust,
Tiruvalluvar House, Pallavan Salai,
Chennai – 60 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the interest to the petitioner at the rate of 8% per annum for the belated payment of retirement benefits for the period of 30.06.2019 to 02.11.2022 i.e., 1221 days on Provident Fund, Gratuity, Earned Leave, Commuted Pension and other retirement benefits within a specified time and pass orders.



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For Petitioner : Mr.R. Yash Rathi

For Respondent-1 : Mr.Mr.R.Venkatesa PERumal
Standing Counsel

For Respondent-2 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner has filed this writ petition to issue a Writ of Mandamus directing the respondents to pay the interest to the petitioner at the rate of 8% per annum for the belated payment of retirement benefits for the period of 30.06.2019 to 02.11.2022 i.e., 1221 days on Provident Fund, Gratuity, Earned Leave, Commuted Pension and other retirement benefits within a specified time and pass orders.

3.The case of the petitioner is that the petitioner joined the services in the Respondent/Corporation on 13.05.1988 and was promoted as Special Grade Conductor and retired from the Respondent/Corporation on 30.06.2019. The grievance of the petitioner is that the respondent management has settled the retirement benefits to the petitioner on 02.11.2022 belatedly i.e after a lapse of 1221 days. Therefore, the



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petitioner gave a representation to the respondents on 28.10.2024 requesting to pay the interest for the belated payment. However, no action has been taken by the respondents till date. Hence this petition.

4.The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondents submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders of this Court.

6.Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representation of the petitioner and pass orders on the claim made by the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is



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made clear, that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

04.12.2024

Index: Yes/No

Speaking order/Non-speaking order
smn

To

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V.BHAVANI SUBBAROYAN,J.

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