



W.P.No.37365 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

CORAM:

**THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN**

**W.P.No.37365 of 2024**

A. Balasundaram

...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 to issue a 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 01.03.2024 within the stipulated time as may be fixed by this Hon'ble Court and pass orders.



W.P.No.37365 of 2024

WEB COPY

For Petitioner : Mr.N. Desinghu  
For Respondent-1 : Mr.K. Raja  
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 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 01.03.2024 and pass orders

3.The case of the petitioner is that the petitioner worked as Superintendent and retired from the service on 28.02.2024. The grievance of the petitioner is that eventhough the petitioner retired on 28.02.2024, the terminal benefits were settled only on 30.10.2024. It is



W.P.No.37365 of 2024

WEB COPY

also pertinent to note that the Respondents have not settled leave salary for 10 days. The sum and substance of the case is that as there was a delay in paying the retirement benefits the petitioner is entitled for interest for the belated payment which has not been paid by the Respondents , due to which he gave a representation to the respondents on 20.11.2024 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.



W.P.No.37365 of 2024

WEB COPY

6.Considering the facts of the case and the submissions made by either side counsel, this Court directs the Respondents to pay the eligible amount as payable to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount. This payment shall be made within a period of six 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 fixed by this Court, it will fetch an 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.

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

No order as to costs.

**12.12.2024**

Index: Yes/No

Speaking order/Non-speaking order

smn



W.P.No.37365 of 2024

WEB COPY

To

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.



WEB COPY



W.P.No.37365 of 2024

**V.BHAVANI SUBBAROYAN,J.**

Smn

**W.P.No.37365 of 2024**

12.12.2024