



WEB COPY



W.P.No.37423 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.37423 of 2024

T.Charles Daniel, (Rtd Staff No.018728)

..Petitioner

Vs

The Managing Director
Tamil Nadu State
Transport Corporation (Coimbatore) Limited,
No.37, Mettupalaiyam Road,
Coimbatore - 641 107.

...Respondent

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 and other unsettle benefits of Arrears of Surrender Leave Salary for the year of 2009-2011 and 2017-2018, ERBS Pension, 7th pay Commission Arrears of Earned Leave Salary, IRT share amount and 11 days salary with effect from 01.03.2023 within the stipulated time fixed by this Court.

For Petitioner : Mr.N.Desinghu

For Respondent : Mr.C.Gauthamaraj
Standing Counsel



W.P.No.37423 of 2024

WEB COPY

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 and other unsettle benefits of Arrears of Surrender Leave Salary for the year of 2009-2011 and 2017-2018, ERBS Pension, 7th pay Commission Arrears of Earned Leave Salary, IRT share amount and 11 days salary with effect from 01.03.2023 within the stipulated time fixed by this Court.

3. The case of the petitioner is that the petitioner joined as a 'Junior Assistant' on 07.03.1988 in the erstwhile, Anna Transport Corporation Dharmapuri Ltd now renamed as Tamilnadu State Transport Corporation (Coimbatore) Ltd and retired from service on 31.03.2023 after attaining the age of superannuation. After his retirement, his terminal benefits and



W.P.No.37423 of 2024

interest amount of Provident Fund, Gratuity, Earned Leave surrender and commutation and other unsettled benefits of Arrears of Surrender Leave Salary for the year of 2009-2011 and 2017-2018, ERBS Pension, 7th pay Commission Arrears of Earned Leave Salary, IRT share amount and 11 days salary with effect from 01.03.2023 was not settled till now. Hence, the petitioner made a representation dated 07.11.2024 requesting respondent to settle his terminal benefits. However, no action has been taken by the respondent 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 respondent to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondent 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.37423 of 2024

WEB COPY

6. Considering the facts of the case, this Court on submission made by either side counsel directs the respondent 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 regard to interest for the belated payment it will be 6% interest per annum interest from the date on which the amount became due and payable till the date of disbursement. It is 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.

11.12.2024

Index: Yes/No
Speaking order/Non-speaking order
msv
To
The Managing Director
Tamil Nadu State
Transport Corporation (Coimbatore) Limited,
No.37, Mettupalaiyam Road, Coimbatore - 641 107.



WEB COPY



W.P.No.37423 of 2024

V.BHAVANI SUBBAROYAN,J.

msv

W.P.No.37423 of 2024

11.12.2024