



WEB COPY

W.P.No.37702 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.37702 of 2024

M.Selvam

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu, Villupuram – 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region, Rangapuram,
Vellore – 632 009.
3. The Administrator,
Tamil Nadu State Transport Corporations,
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai,
Chennai – 600 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay interest to the petitioner at the rate of 8% per annum for the belated payment of his Surrender Leave salary, Gratuity, Communication and provident fund at the rate of 8.1 pa for the belated payment within a time limit to be stipulated by



this Honourable court.

For Petitioner : Mr.J.Lakshminarayanan
For R1 & R2 : Mr.R.Venkatesa Perumal,
Standing Counsel
For R3 :Mr.C.S.K.Sathish, Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay interest to the petitioner at the rate of 8% per annum for the belated payment of his Surrender Leave salary, Gratuity, Communication and Provident Fund.

2. Heard Mr.J.Lakshminarayanan, learned counsel appearing for petitioner, Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for the respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel appearing for the Respondent No.3.

3. The case of the petitioner is that he was working as a Special Grade Driver in the respondent Corporation and retired from service on 31.08.2022.



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4. The grievance of the petitioner pertains to the delay of 298 days in settling the terminal benefits payable to the petitioner. According to the petitioner, he is entitled to get interest at the rate of 8% per annum for the belated payment of Surrender Leave Salary, Gratuity, Commutation and Provident Fund. However, this was not settled in spite of a representation made by the petitioner. It is under these circumstances, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and the materials available on record, this writ petition is disposed of with a direction to the respondent Corporation 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.



W.P.No.37702 of

6. The petitioner is directed to submit a fresh representation to the respondents 1 and 2 along with a copy of this order.

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W.P.No.37702 of



MUMMINENI SUDHEER KUMAR, J.

skr

7. This writ petition is disposed of with the above directions. No costs.

Connected miscellaneous petitions, if any, shall stand closed.

20.12.2024

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

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