



W.P.No.38034 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.38034 of 2024

1. D. Nagarajan

2. M. Ravichandra

3. A. Srinivasan

...Petitioners

Vs

1.Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
(Coimbatore) Ltd.,
Chennimalai Road
Erode – 1.

3. The Administrator,
Tamil Nadu State Transport
Corporation EPF Trust,
Pallavan House,
Thiruvalluvar Salai,
Chennai – 600 002.

...Respondents



W.P.No.38034 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest for the belated payment of Provident Fund, Death cum Retirement Gratuity Encashment of Earned Leave, Surrender Leave and Commuted Value of Pension at the rate of 12% per annum within the time frame fixed by this Hon'ble court and pass orders.

For Petitioners	: Mr.N.K.Ponraj
For Respondents 1&2	: Mr.M. Murali Vinodh Standing Counsel
For Respondent -3	: 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 interest for the belated payment of Provident Fund, Death cum Retirement Gratuity Encashment of Earned Leave, Surrender Leave and Commuted Value of Pension at the



W.P.No.38034 of 2024

rate of 12% per annum and pass orders.

3.The facts of the case is that the petitioners are retired employees of the Respondent/Corporation. The grievance of the petitioners are that the Respondent/Corporation has settled the retirement benefits to the petitioners belatedly i.e after a lapse of one year. The sum and substance of the case is that as there was a delay in paying the retirement benefits so the petitioners are entitled for interest for the belated payment which has not been paid by the Respondent/Corporation, due to which the petitioners gave a representation to the respondents on 02.11.2024,22.10.2024 and 13.08.2024 respectively. However, no action has been taken by the respondents till date. Hence this petition.

4.The learned counsel for the petitioners 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



W.P.No.38034 of 2024

of this Court.

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 petitioners 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.

17.12.2024

Index:Yes/No

Speaking order/Non-speaking order



W.P.No.38034 of 2024

smn

To

1.Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
(Coimbatore) Ltd.,
Chennimalai Road
Erode – 1.

3. The Administrator,
Tamil Nadu State Transport
Corporation EPF Trust,
Pallavan House,
Thiruvalluvar Salai,
Chennai – 600 002.



WEB COPY



W.P.No.38034 of 2024

V.BHAVANI SUBBAROYAN,J.

Smn

W.P.No.38034 of 2024



WEB COPY



W.P.No.38034 of 2024

17.12.2024

1/2