



W.P.(MD)No.24043 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24043 of 2024

P.Santhana Kumar

... Petitioner

VS

1.The Managing Director,
TamilNadu State Transport Corporation,
Thilikottam,
KTC Nagar, Maharajapuram Post,
Tirunelveli-11.

2. The General Manager,
Tamil Nadu State Transport Corporation,
Thilikottam-Nagermandalam,
Ranithottam,
Nagercoil-01.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to disburse the retirement benefits (i.e. Employee Provident Fund, Gratuity, Earned Leave) to the petitioner with 9% interest rate calculated from the date of retirement of the petitioner i.e., 31.05.2023 based on the petitioner's representation dated 19.09.2024.



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For Petitioner	: Mr.P.Thirumahilmaran
For Respondent No.1	: Mr.D.Jebaraj Panel Counsel
For Respondent No.2	: Mr.S.C.Herold Singh Standing Counsel

ORDER

The instant writ petition has been filed by a retired employee of the respondent transport corporation seeking a mandamus to release his terminal benefits along with 6% of interest.

2. The petitioner has attained his age of superannuation on 31.05.2023, so far the terminal benefits has not been released. Hence, the present writ petition has been filed.

3. The learned Standing Counsel appearing for the respondent Transport Corporation submits that due to paucity of funds, only to those employees who have retired upto November-2022, the terminal benefits have been released. So far the terminal benefits have not been released to others, who have retired after November -2022.



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4. Therefore, this Court is of the considered opinion that the respondents transport corporation cannot with hold the terminal benefits by citing paucity of funds. At least, the provident fund amount should be released.

5. In view of the above said facts, this Court made the following order:

- i) The respondents Transport Corporation is directed to release 50% of provident fund amount on or before 31.12.2024.
- ii) The balance provident fund amount shall be released on or before 28.02.2025.
- iii) The other terminal benefits shall be released on or before 30.06.2025.
- iv) All the benefits shall be released along with 6% of interest from the due date till the date of realization.



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6. With the above said observation, this writ petition is disposed of. No

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costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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