



W.P.No. 1795 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2025

CORAM:

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

W.P.No.1795 of 2025

M. Kandavelsamy

.. Petitioner

Versus

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Rep by its Managing Director,
Coimbatore.

...Respondent

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pay interest to the petitioner at the rate of 18% per annum for the period of delay from 01.02.2023 to 29.10.2024 in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leaves/already surrendered Earned Leaves, within a time frame fixed by this Court and pass orders.

For Petitioner

: Mr.V. Ajoy Khose

For Respondents

: Mr.C. Gauthamaraj
Standing Counsel



W.P.No. 1795 of 2025

WEB COPY

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed seeking to issue a Writ of Mandamus, directing the respondent to pay interest to the petitioner at the rate of 18% per annum for the period of delay from 01.02.2023 to 29.10.2024 in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leaves/already surrendered Earned Leaves, within a time frame fixed by this Court and pass orders.

3. The case of the petitioner is that the petitioner joined the Respondent Transport Corporation as Driver on 08.08.1987 and retired as Special Grade Driver on 31.01.2023. In spite of the petitioner retired on 31.01.2023 his terminal benefits were settled only on 30.10.2024. Hence, the petitioner is entitled to interest for the belated payment made by the respondent due to which, the petitioner gave a representation to the respondents on 18.11.2024. However, no action has been taken by the



W.P.No. 1795 of 2025

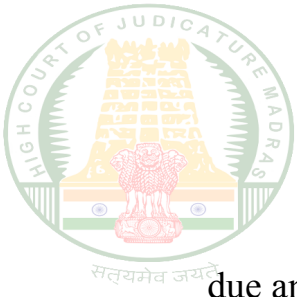
respondents till date. Hence this petition.

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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.

6.Considering the facts of the case and the submissions made by either side counsel, this Court directs 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 eight 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



W.P.No. 1795 of 2025

due and payable till the date of actual disbursement.

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

No order as to costs.

23.01.2025

4/6

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

smn

To

The Managing Director
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore.



WEB COPY



W.P.No. 1795 of 2025

V.BHAVANI SUBBAROYAN, J.

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W.P.No.1795 of 2025

23.01.2025

4/6