



WEB COPY



W.P.No. 2107 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM:

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

W.P.No.2107 of 2025

P.Gunasekaran(J0 9371)

.. Petitioner

Versus

Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep by its The Managing Director,
No.37, Mettupalayam Road,
Coimbatore 43.

...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 the petitioner interest at the rate of 15% per annum for the belated payment of 578 days in paying the petitioner PF, Gratuity and Earned Leave with interest at the rate of 15% within a specified time, as may be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Krishnaswamy

For Respondent : Mr.Murali Vinodh,
Standing Counsel



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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 the petitioner interest at the rate of 15% per annum for the belated payment of 578 days in paying the petitioner PF, Gratuity and Earned Leave with interest at the rate of 15% within a specified time, as may be fixed by this Court.

3. The case of the petitioner is that the petitioner joined the Respondent Transport Corporation as Driver on 28.10.1994 and retired as Special Grade Driver on 31.03.2023. In spite the petitioner retired on 31.03.2023 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 11.11.2024. However, no action has been taken by the 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 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.

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Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

smn

To

The Managing Director,
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore 43.



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V.BHAVANI SUBBAROYAN, J.

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