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W.P.No.2467 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.2467 of 2025

K.Chinnakani

... Petitioner

Vs

Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Rep. by its The Managing Director,
37, Mettupalayam Road,
Coimbatore - 43.

... Respondent

PRAYER: Writ Petition 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 12% per annum for the belated payment of terminal benefits namely the PF, Gratuity and the earned leave salary, at the rate of 12% per annum; to pay the Petitioner a sum of Rs.41953/- towards the difference in arrears of Gratuity and to pay a sum of Rs.18500/- towards the STERBS Fund, together with interest at the rate of 12% within a specified time.

For Petitioner : Mr.R.Krishnasamy

For Respondent : Mr.C.Gauthamaraj,
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. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the Respondent to pay the petitioner interest at the rate of 12% per annum for the belated payment of terminal benefits namely the PF, Gratuity and the earned leave salary, at the rate of 12% per annum; to pay the Petitioner a sum of Rs.41953/- towards the difference in arrears of Gratuity and to pay a sum of Rs.18500/- towards the STERBS Fund, together with interest at the rate of 12% within a specified time.

3. The case of the petitioner is that he has retired from the Respondent/Corporation on 31.03.2023. The grievance of the petitioner is that the respondent has to pay the petitioner interest at the rate of 12% per annum for the belated payment of terminal benefits namely the PF, Gratuity and the earned leave salary, at the rate of 12% per annum; to pay the Petitioner a sum of Rs.41953/- towards the difference in arrears of



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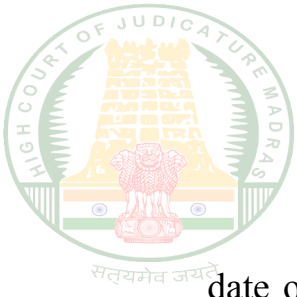
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Gratuity and to pay a sum of Rs.18500/- towards the STERBS Fund, along with interest at the rate of 12% per annum. Therefore, the petitioner gave a representation to the respondent on 16.12.2024 with regard to the said issue. However, no action has been taken by the respondent till date. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondent 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, this Court on submission made by either side counsel directs the respondent to consider the representation of the petitioner and pass appropriate orders and pay the eligible amount to the petitioner within a period of twelve weeks from the



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date of receipt of a copy of this Order. It is made clear that the amount should carry 6% interest per annum from the date on which the amount became due and payable till the date of disbursement, if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

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

No order as to costs.

28.01.2025

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Index: Yes/No

Speaking order/Non-speaking order

kv

To

The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore - 43.



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V.BHAVANI SUBBAROYAN,J.

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