



WEB COPY

WP No. 3412 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-01-2025

CORAM

THE HONOURABLE MRS JUSTICE V.BHAVANI SUBBAROYAN

WP No. 3412 of 2025

M.S. Rajendren
S/o Subramaniam 4/95-3, Sri
Ganapathi Nagar Patchampaayam
Anthiyur Taluk, Erode District

Petitioner(s)

Vs

The Management Of
Tamil Nadu State Transport
Corporation (kovai) Ltd, Erode Region,
Rep By Its Managing Director Erode

Respondent(s)

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 18% per annum, for the period of delay from 01.04.2023 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 as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.



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For Petitioner(s): Mr.V.Ajoy Khose

For Respondent: Mr.M.Muralivinodh, Standing
Counsel

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 18% per annum, for the period of delay from 01.04.2023 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 as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

3.The case of the petitioner is that the petitioner joined in the Respondent



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Corporation on 27.06.1998 as Conductor and retired as Selection Grade

Conductor with Staff No.98CR2J06843 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 respondent

on 05.11.2024. 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.



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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.

7.With the above directions, this Writ Petition stands disposed of. No order as to costs.

gbi

31-01-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To
WEB COPY

1. The Management Of
Tamil Nadu State Transport
Corporation (kovai) Ltd, Erode Region,
Rep By Its Managing Director Erode



WEB COPY

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V.BHAVANI SUBBAROYAN J.

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WP No. 3412 of 2025

31-01-2025