



W.P.No.24092 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.24092 of 2025

M.Sekar

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12 Ramakrishna Road,
Salem-636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Bharathipuram,
Dharmapuri District.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Welfare Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation and other unsettled benefits of 12(3) wage settlement and 10 days salary with effect from 20.09.2020 within the stipulated time as may be fixed by this Court.

For Petitioner

: Mr.Vinoth Kannan N



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For R1 and R2

: Mr.K.Raja, Standing Counsel

For R3

: Mr.C.S.K.Sathish, Standing Counsel

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the Respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation and other unsettle benefits of 12(3) wage settlement and 10 days salary with effect from 20.09.2020 within the stipulated time as may be fixed by this Court.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner has joined in the services of the Respondents-Transport Corporation as Conductor on 08.12.1992 and he voluntarily retired from service on 18.09.2020 as Selection Grade Senior Conductor. The learned



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counsel for the petitioner would submit that though he retired from service during 2020, his terminal benefits were paid only on 02.12.2022, after a lapse of more than one year. However, no interest was paid for the above delay period. The learned counsel for the petitioner would also submit that the respondents have not settle the benefits of 12(3) wage settlement and 10 days salary. In this connection, the petitioner has sent a representation dated 08.04.2024 to the respondents to pay interest upon the delayed payment of his terminal benefits and other benefits. Since the same was not considered by the respondents, the present Writ Petition has been filed.

5. At this juncture, the learned Standing Counsel appearing for the respondents 1 and 2 would fairly submit that as far as interest upon belated payment of his terminal benefits is concerned, in view of the similar orders passed by this Court in W.P.Nos. 40031, 33742 and 35806 of 2024, they are willing to pay the interest at the rate of 6% per annum for the belated payment of the eligible and admissible amount. He would further submit that as far as unsettled benefits of 12(3) wage settlement and 10 days salary is concerned, they would consider the petitioner's representation dated 08.04.2025, within a reasonable time.



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6. In view of the above submissions of the learned Standing Counsel, this Court deems it appropriate to direct the respondents to pay the interest at the rate of 6% per annum upon the delayed payment of retirements benefits, from the date of retirement till the date of actual disbursal of the terminal benefits to the petitioner, within a period of six weeks from the date of receipt of copy of this order.

7. As far as unsettled benefits of 12(3) wage settlement and 10 days salary is concerned, the respondents are directed to consider the petitioner's representation dated 08.04.2025 on it's own merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

8. With the above directions, the Writ Petition is disposed of. No costs.

04.07.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm



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C.KUMARAPPAN, J.

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