



W.P.No.39092 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.39092 of 2024

C.Kesavan

...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.
3. The Administrator,
The Tamil Nadu Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 02.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to disburse the interest 12% for belated payment of provident fund, gratuity, pension commutation amount and leave surrender and consequently direct the



W.P.No.39092 of 2024

respondents to settle the unsettled benefits of leave encashment amount and last 7 days salary within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.K.Raja,
Standing Counsel (for R1 & R2)

Mr. C.S.K.Sathish,
Standing Counsel (for R3)

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 respondents to disburse the interest 12% for belated payment of provident fund, gratuity, pension commutation amount and leave surrender and consequently direct the respondents to settle the unsettled benefits of leave encashment amount and last 7 days salary within the stipulated time as may be fixed by this Court.

3. The case of the petitioner is that he is an retired employee from



W.P.No.39092 of 2024

the Respondent/Corporation. The grievance of the petitioner is that the respondents to pay the interest at the rate of 12% per annum for the belated payment of the petitioner's terminal benefits and unsettled benefits of leave encashment amount and last 7 days salary. Therefore, the petitioner gave a representation to the respondents on 22.11.2024 with regard to the said issue. However, no action has been taken by the respondents 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 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, this Court on submission



W.P.No.39092 of 2024

WEB COPY

made by either side counsel directs the respondents 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 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.

03.01.2025

Index: Yes/No
Speaking order/Non-speaking order
kv

To



W.P.No.39092 of 2024

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.
3. The Administrator,
The Tamil Nadu Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 02.



WEB COPY



W.P.No.39092 of 2024

V.BHAVANI SUBBAROYAN,J.

kv

W.P.No.39092 of 2024

03.01.2025