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W.P.No.38934 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.38934 of 2024

M. Moorthy

...Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
No.3/137, Salamedu,
Vizhupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation(salem) Ltd.,
Vellore Region, Rangapuram
Vellore – 632 009.

3. The Administrator,
Tamil Nadu State Transport Corporation(salem) Ltd.,
Employees Welfare Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest to the petitioner at the rate of 8% per annum for the belated payment of petitioners leave liability, gratuity and Provident fund amount within a time limit to be stipulated by this Court and pass orders.



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For Petitioner : Mr.J. Lakshmi Narayanan
For Respondents1 &2 : Mr.R. Venkatesa Perumal
Standing Counsel
For Respondent -3 : Mr.C.S.K. Sathish
Standing Counsel

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 pay interest to the petitioner at the rate of 8% per annum for the belated payment of petitioners leave liability, gratuity and Provident fund amount within a time limit to be stipulated by this Court and pass orders.

3.The case of the petitioner is that the petitioner joined in the Respondent/Corporation on 21.08.1998 and retired on 31.10.2022 under Voluntary Retirement Scheme. The grievance of the petitioner is that the terminal benefits was settled belatedly, due to which he is entitled for



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interest for the belated payment. Therefore, the petitioner gave a representation to the respondents on 08.11.2024. 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 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



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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 realisation.

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

No order as to costs.

02.01.2025

Index: Yes/No

Speaking order/Non-speaking order

smn

To

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V.BHAVANI SUBBAROYAN,J.

Smn

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