



WEB COPY



W.P.No.38689 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.38689 of 2024

R. Mohan

...Petitioner

Vs

The Managing Director
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the difference amount of terminal benefits such as gratuity and earned leave salary as per the 13th wage settlement along with 18% per annum interest for the belated period of terminal benefits to the petitioner to the petitioner within stipulated time and pass orders.

For Petitioner : Mr.M. Karthick

For Respondent : Mr.C. Gauthamaraj
Standing Counsel



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ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the respondents to pay the difference amount of terminal benefits such as gratuity and earned leave salary as per the 13th wages settlement along with 18% per annum interest and also pay interest for the belated payment of terminal benefits to the petitioner within a stipulated time and pass orders.

3. The case of the petitioner retired from the Respondent/ corporation on 30.06.2017. The further case of the petitioner is that while arriving the terminal benefits the respondent have not implemented the Wages Act properly, due to which there was a monetary loss to the petitioner. The further case of the petitioner is that the terminal benefits was also settled to the petitioner belatedly. Hence, the petitioner has submitted a representation on 07.10.2024 to the respondents and the same was not considered. Hence, this petition.



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4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider 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 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.



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7. With the above observations 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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