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W.P.No.388890 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.38890 of 2024

K. Ganesh Kumar

...Petitioner

Vs

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

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the 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 within stipulated time as may be fixed by this Hon'ble Court and pass orders.

For Petitioner

: Mr.M. Karthik

For Respondents

: Mr.C.Gauthamaraj
Standing Counsel

ORDER



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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 respondent to pay the 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 within stipulated time as may be fixed by this Court and pass orders.

3.The case of the petitioner is that the petitioner retired from the respondents Corporation on 30.04.2017. 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. Hence, the petitioner made a representation to the respondents on 29.09.2024 and the same was not considered 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



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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 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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The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
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V.BHAVANI SUBBAROYAN,J.

Smn

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