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W.P.No.39432 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.39432 of 2024

V. Muthusamy

...Petitioner

Vs

1.Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Rep by its Managing Director,
37, Mettupalayam Road,
Coimbatore - 43

2.Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Rep by its Administrator.
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 2

...Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the petitioner a sum of Rs.20,322/- towards arrears of difference in pension for the period from 01.06.2022 to Feb 2023, to pay the petitioner a sum of Rs.56,706/- towards difference in earned leave and medical leave salary to pay the petitioner a sum of Rs.1,21,281/- towards the 105 days earned leave surrendered by the petitioner while he was in



W.P.No.39432 of 2024

service; to pay the petitioner a sum of Rs. 18,500/- towards the amount payable under the Post Retirement Benefit Fund Scheme, a sum of Rs.30,580/- towards the Social Security Scheme Fund; a sum of Rs.4,500/- towards IRT Contributions, to pay the petitioner the amount payable under the family benefit fund scheme, together with interest at the rate of 12% per annum and to pay the petitioner interest at the rate of 12% per annum for the belated payment of Rs.19,71,032/- towards PF and for the belated payment of Rs.8,10,789/- towards Earned Leave/Medical leave Salary towards commutation of Rs.9,53,782/- within a specified time frame and pass orders.

For Petitioner : Mr.R. Krishnaswamy

For Respondent-1 : Mr.M. Murali Vinodh
Standing Counsel

For Respondent-2 : Mr.C.S.K.Sathish
Standing Counsel

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 petitioner a sum of Rs.20,322/- towards arrears of difference in pension for the period from 01.06.2022 to



W.P.No.39432 of 2024

WEB COPY

Feb 2023, to pay the petitioner a sum of Rs.56,706/- towards difference in earned leave and medical leave salary to pay the petitioner a sum of Rs.1,21,281/- towards the 105 days earned leave surrendered by the petitioner while he was in service; to pay the petitioner a sum of Rs.18,500/- towards the amount payable under the Post Retirement Benefit Fund Scheme, a sum of Rs.30,580/- towards the Social Security Scheme Fund; a sum of Rs.4,500/- towards IRT Contributions, to pay the petitioner the amount payable under the family benefit fund scheme, together with interest at the rate of 12% per annum and to pay the petitioner interest at the rate of 12% per annum for the belated payment of Rs.19,71,032/- towards PF and for the belated payment of Rs.8,10,789/- towards Earned Leave/Medical leave Salary towards commutation of Rs.9,53,782/- within a specified time frame and pass orders.

3. The case of the petitioner joined in the Respondent Corporation on 18.10.1988 and retired on 31.05.2022. 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 17.10.2023 and the same was not



W.P.No.39432 of 2024

considered till date. Hence, this petition.

WEB COPY

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 realisation.



W.P.No.39432 of 2024

WEB COPY

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

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V.BHAVANI SUBBAROYAN,J.

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WEB COPY



W.P.No.39432 of 2024

W.P.No.39432 of 2024

02.01.2025
2/5