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W.P.No.39455 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.39455 of 2024

M. Velmurugan

...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.36,168/- towards arrears of difference in pension for the period from 01.06.2022 to September 2023, to pay the petitioner a sum of Rs.57,363/- towards difference in earned leave and medical leave salary, to pay the petitioner a sum of Rs.30,580/- towards the social security scheme, to pay the petitioner a sum of



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Rs.18,500/- towards the amount payable under the Post Retirement Benefit Fund Scheme, a sum of Rs.4,500/- towards the 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.32,57,638/- towards PF for the belated payment of surrendered earned leave wages of Rs.60,555/- which was surrendered by the petitioner while in service and for the belated payment of Rs.8,20,186/- towards Earned Leave/ Medical Leave Salary 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.36,168/- towards arrears of difference in pension for the period from 01.06.2022 to September 2023, to pay the petitioner a sum of Rs.57,363/- towards



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difference in earned leave and medical leave salary, to pay the petitioner a sum of Rs.30,580/- towards the social security scheme, 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.4,500/- towards the 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.32,57,638/- towards PF for the belated payment of surrendered earned leave wages of Rs.60,555/- which was surrendered by the petitioner while in service and for the belated payment of Rs.8,20,186/- towards Earned Leave/ Medical Leave Salary 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 09.11.2023 and the same was not considered till date. 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 realisation.



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7. With the above observations this writ petition stands disposed of. No order as to costs.

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

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V.BHAVANI SUBBAROYAN,J.

smn

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