



W.P.No.40026 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2025

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.40026 of 2024

P.Balakrishnan

...Petitioner

Vs.

Tamil Nadu State Transport Corporation (Salem) Ltd.,

Rep by its Managing Director,

No.12, Ramakrishna Road,

Salem-7.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of mandamus, directing the respondents to pay the petitioner interest at the rate of 12% per annum for the belated payment of 442 days in paying the petitioner PF, Gratuity and Earned Leave with interest at the rate of 12% within a specified time.

For Petitioner : Mr.R.Krishnaswamy

For Respondents : Mr.K.Raju TNSTC



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ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the petitioner interest at the rate of 12% per annum for the belated payment of 442 days in paying the amount towards his PF, Gratuity and Earned Leave with interest at the rate of 12% within a specified time.

2.Heard Mr.R.Krishnaswamy, learned counsel appearing for the petitioner and Mr.K.Raju, learned counsel appearing for the respondent. With the consent of the parties, this writ petition is taken up for disposal at the admission stage itself.

3.The case of the petitioner is that he was appointed as driver in the respondent transport corporation on 28.09.1988 and after completion of more than 30 years of service, the petitioner had retired from service on 30.06.2018 as Selection Grade Driver on attaining the age of superannuation.



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4. The grievance of the petitioner is that though the petitioner had retired from service on 30.06.2018, the terminal benefits have been settled only on 22.09.2019 and no interest has been paid for the delay period. In view of the same, the petitioner submitted a representation dated 18.11.2024 to the respondents to pay interest for the delay period. Since the same was not considered, the present writ petition has been filed.

5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioner, there shall be a direction to the respondents to pay the eligible and admissible amount with interest at the rate of 6% p.a. for the belated payment to the petitioner within a period of six (6) 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 interest at the rate of 12% p.a. from the date on which the amount became due and payable till the date of actual realisation.

6. The petitioner is directed to submit a fresh individual



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representation to the respondent along with a copy of this order.

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This Writ Petition is disposed of with the above direction. No costs.

06.01.2025

vsn

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.
No.12, Ramakrishna Road,
Salem-7.



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MUMMINENI SUDHEER KUMAR, J.

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