



WEB COPY



W.P.No.39943 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.39943 of 2024

M.Sekar

...Petitioner

Vs

Tamil Nadu State Transport Corporation (Salem) Ltd.,
Rep. by the Managing Director,
No.12, Ramakrishna Road,
Salem – 7.

...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 petitioner interest at the rate of 12% per annum for the belated payment of 630 days in paying the petitioner's PF, gratuity and earned leave with interest at the rate of 12% within a specified time, as may be fixed by this Court.

For Petitioner : Mr.R.Krishnasamy

For Respondent : Mr.K.Raja,
Standing Counsel

ORDER



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2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the respondent to pay the petitioner interest at the rate of 12% per annum for the belated payment of 630 days in paying the petitioner's PF, gratuity, and earned leave, with interest at the rate of 12% within a specified time, as may be fixed by this Court.

3. The case of the petitioner is that he has retired from the Respondent on 31.03.2023. The grievance of the petitioner is that there was a delay in settling the terminal benefits. In view of the same, the petitioner has sought for payment of interest towards the delay in settlement of the terminal benefits. The petitioner in this regard made a representation to the respondent on 18.11.2024. Since the same did not evoke any response, the present Writ Petition has been filed before this Court.



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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 respondent to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondent 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, this Court on submission made by either side counsel directs the respondent to consider the representation of the petitioner and pass appropriate orders and pay the eligible amount to the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order. It is made clear that the amount should carry 6% interest per annum from the date on which the amount became due and payable till the date of disbursement, if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.



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7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order

kv

To

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



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V.BHAVANI SUBBAROYAN,J.

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