

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5679 of 2017

T. Narayanan

.. Petitioner

Vs.

1.The Government of Tamilnadu,
Rep. by Secretary to Government,
Transport Department,
Fort St. George, Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station Road,
Kumbakonam - 612 001.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay interest @ 12% p.a. for delayed payment of provident fund to the petitioner based on his representation dated 10.12.2016 within time stipulated.

For Petitioner : Mr.R.Ragvendran.

For Respondents : Mr.K.Dhananjeyan
Special Government Pleader for R1

Mr.P.Kannan Kumar for R2

Mr.P.Paramasivadosh for R3

O R D E R

Heard Mr.R.Ragvendran, learned counsel appearing for the petitioner, Mr.K.Dhananjeyan, learned Special Government Pleader appearing for the first respondent, Mr.P.Kannan Kumar for learned counsel appearing for the second respondent and Mr.P.Paramasivadosh, learned counsel appearing for the third respondent. With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage.

2.The writ petitioner joined duty as Conductor in the Tamil Nadu Transport Corporation on 19.10.1979 and continued in service. He was promoted to the post of Checking Inspector on 26.10.2007 and thereafter, to the post of Traffic Inspector on 13.08.2014. The writ petitioner was allowed to retire from service on attaining the age of superannuation on 31.05.2015. In spite of several representations, the retiral benefits due to the writ petitioner were settled belatedly.

3.The grievance of the writ petitioner is that though he was allowed to retire on 31.05.2015 the amount of gratuity and other consequential retiral benefits were settled only on 19.12.2015 and there was a delay of about six months, for which the writ petitioner is entitled for interest. In this regard, the writ petitioner submitted a representation for grant of interest on 10.12.2016.

4.This Court is of the opinion that the writ petitioner is eligible for interest on all belated payments of terminal and retiral benefits. Such being the principle, the Writ petitioner is directed to submit a copy of the representation dated 10.12.2016 along with the copy of the order passed today in this writ petition. On receipt of the same, the respondents 2 and 3 are directed to consider the representation submitted by the writ petitioner on 10.12.2016 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The Writ Petition stands disposed of accordingly. No costs.

Sd/-/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Secretary to Government,
The Government of Tamilnadu,
Transport Department,
Fort St. George, Chennai - 600 009.

2. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
No.27, Railway Station Road,
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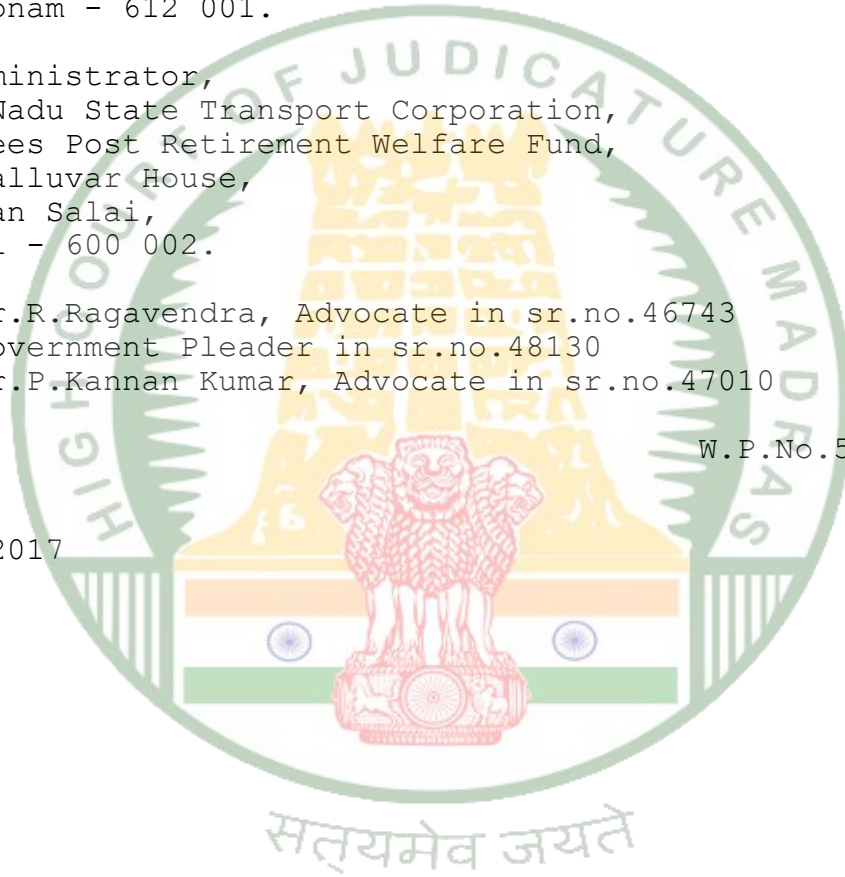
+lcc to Mr.R.Ragavendra, Advocate in sr.no.46743

+lcc to Government Pleader in sr.no.48130

+lcc to Mr.P.Kannan Kumar, Advocate in sr.no.47010

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GJII(CO)
NR 20/07/2017



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