

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 14.06.2017****CORAM****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) .No.10991 of 2017**

S.Subbiah

..Petitioner

Vs.

The Managing Director,
State Express Transport Corporation (T.N.) Ltd.,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 600 002.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay the terminal benefits amount payable to the petitioner including 18% interest for the belated payment of Provident Fund from the date of his retirement i.e. 31.05.2013 to till the date of actual payments made to him and all other attendant benefits within the stipulated period.

For Petitioner
For Respondent

: Mr.A.Rahul
: Mr.K.Sathiya Singh,
Standing Counsel for T.N.S.T.C.,

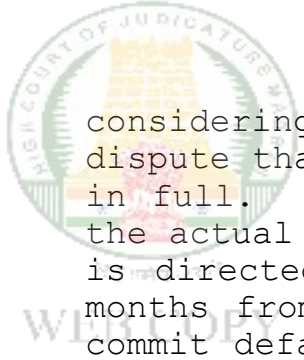
O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondent to settle the terminal benefits amount payable to the petitioner including 18% of interest for the belated payment of Provident Fund from the date of his retirement i.e. 31.05.2013 to till the date of actual payments made to him and all other attendant benefits within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for T.N.S.T.C., for the respondent.

3. Mr.K.Sathiya Singh, learned Standing Counsel for T.N.S.T.C., takes notice for the respondent. By consent, the Writ petition itself is taken up for final disposal.

4. Admittedly, the petitioner retired from service on 31.05.2013. There is a long delay in settling the retirement benefits. However, the Hon'ble Division Bench of this Court has already allowed interest at 6% p.a. for the belated payment, after



considering the financial constrains and other aspects. It is not in dispute that the terminal benefits as per the entitlement is settled in full. However, for the delay in payment between 31.05.2013 and the actual date of disbursement of terminal benefits, the respondent is directed to pay interest at 6% p.a., within a period of three months from the date of receipt of a copy of this order. If they commit default in payment of interest, interest would be calculated at the rate of 18% p.a.

5. With the above observation, the Writ petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

The Managing Director,
State Express Transport Corporation (T.N.) Ltd.,
Thiruvalluvar Illam, Pallavan Salai, Chennai - 600 002.

+1cc to M/s. K.SATHIYA SINGH Advocate in SR. NO.60108

+1cc to M/s. AK.THANGAVELU Advocate in SR. No.60053

PMU

JS/KP/SAR.2/22.6.2017/2P-4C

ORDER MADE IN
W.P.(MD).No.10991 of 2017
14.06.2017