



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDARW.P.(MD).No.11206 of 2017

P.Sethuraman

..Petitioner

Vs.

1. Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Rep. by it's Managing Director,
Railway Station Road,
Kumbakonam - 612 001.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Karaikudi Region, Karaikudi - 630 307.
3. The Administrator,
Tamil Nadu State Transport Corporation Employees Pension Fund Trust,
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 respondents to pay 18% interest for the belated payment of Commuted value of pension and Gratuity payable to the petitioner from the date of his retirement i.e., 30.04.2013 to till the date of actual payment made to him and all other attendant benefits to him within the stipulated period.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman,
Standing Counsel for T.N.S.T.C.,

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay 18% interest for the belated payment of Commuted value of pension and Gratuity payable to the petitioner from the date of his retirement i.e., 30.04.2013 to till the date of actual payment made to him and all other attendant benefits to him within the stipulated period.



2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

3. Mr.D.Sivaraman, learned Standing Counsel takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. The petitioner retired from service on 30.04.2013, as Selection Grade Driver. Though the petitioner retired from service in the year 2013, terminal benefits were settled with delay. Hence, the petitioner seeks direction to the respondents to settle interest at 18% p.a., to the belated payment of terminal benefits.

5. This Court has already in similar cases has passed orders, directing the respondents to pay the retirement dues with interest at the rate of 6% p.a., and in case of default, interest at 18% p.a. The respondents are directed to pay interest at the rate of 6% p.a., for the belated payment of the Gratuity and Commuted value of pension within a period of six weeks from the date of receipt of a copy of this order, failing which, the default interest would be at 18% p.a., and the respondents are liable to pay interest at 18% p.a., for any further delay beyond the period now stipulated by this Court.

6. With the above direction, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar

To

1. Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Rep. by it's Managing Director,
Railway Station Road, Kumbakonam - 612 001.
 2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Karaikudi Region, Karaikudi - 630 307.
 3. The Administrator,
Tamil Nadu State Transport Corporations Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai, Chennai - 600 002.
- +One cc to Mr.A.K.Thangavelu, Advocate, SR.No.60499
+One cc to Mr.D.Sivaraman, Advocate, SR.No.60652

pmu

<https://hcservices.courts.gov.in/ReserveBench> 1/27/6/2017

ORDER MADE IN

W.P. (MD) .No. 11206 of 2017

16.06.2017 (1 / 2)