



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P(MD)No.11446 of 2017

V.John Rose

... Petitioner

Vs.

State Express Transport Corporation
Limited,

Rep. By it's Managing Director,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent in Ref.002207-A/L9/S.M./A.V.Po.Ka/2017, dated 27.04.2017, quash the same and consequently direct the respondent to pay 6% interest for the belated payment of terminal benefits including Gratuity amount from the date of my retirement ie., 31.05.2015, to till the date of actual payment made to petitioner and all other attendant benefits within the stipulated period.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathiyasingh
Standing Counsel.

ORDER

This writ petition has been filed for issuance of a writ of certiorarified mandamus, to quash the impugned order passed by the respondent in Ref.002207-A/L9/S.M./A.V.Po.Ka/2017, dated 27.04.2017 and to direct the respondent to pay 6% interest for the belated payment of terminal benefits including Gratuity amount from the date of my retirement ie., 31.05.2015, to till the date of actual payment made to petitioner and all other attendant benefits within the stipulated period.

2.This Court, for the similar reliefs, has already disposed of several writ petitions, by quashing the impugned order and directing the respondent to pay interest at 6% p.a for the delay



payment. However, if the payments are not paid within a period of six weeks from the date receipt of copy of order, default interest was directed to be paid at 18% p.a.

3. Considering the consisting view of this Court in granting 6% interest for the delay in payment and awarding 18% for further default in payment, this Court is inclined to pass the following direction.

4. The respondent is directed to pay interest calculated at 6% p.a for the delayed payment within a period of six weeks from the date of receipt of a copy of this order, failing which the default interest would be 18% p.a for any default.

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

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

The Managing Director,
State Express Transport Corporation Limited,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.

+1 cc to Mr.K.Sathiya Singh , Advocate in SR.No. 61494

Arul

AE/MR KKR/SAR3/04.07.2017/2P/3C

**Order made in
W.P(MD)No.11446 of 2017
21.06.2017**