



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.14410 of 2017

Pathrose

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation Tirunelveli Ltd.,
Tirunelveli.

2. The General Manager,
Tamil Nadu State Transport Corporation Tirunelveli Ltd.,
Ranithottam,
Nagercoil-629001,
Kanyakumari District.

... 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 the 18% interest for the belated payment of the petitioner retirement benefits i.e. Provident Fund, Gratuity, Leave Salary from the date of petitioner retirement to the actual date of payment of retirement benefits to the petitioner on the basis of representation dated 17.02.2017 and pay the same to the petitioner within the time frame to be fixed by this Court.

For Petitioner : Mr.N.S.Ramakrishnadass
For Respondents : Mr.K.Sathya Singh
Standing counsel for TNSTC

ORDER

By consent of both sides, this writ petition itself is taken up for final disposal.

2.The petitioner is a retired Checking Inspector from the first respondent Transport Corporation, Tirunelveli Region. As the petitioner retired from service with effect from 31.05.2012, the respondents has paid the retiral benefits, namely, Provident Fund on 20.12.2012 and Gratuity on 28.12.2013, without any interest on belated payment. The petitioner is entitled to get interest of 18% on the belated payment of the aforementioned retiral benefits, namely, Provident Fund, Gratuity, Leave Salary from the date of



retirement of the petitioner till the actual date of payment of retiral benefits. Though the petitioner has given a representation on 17.02.2017, till date the same was not considered. Therefore, the petitioner has come before this Court with the present writ petition.

WEB COPY

3.Mr.K.Sathya Singh, learned Standing Counsel for TNSTC, who takes notice for the respondents, sought four weeks time to consider the pending representation of the petitioner dated 17.02.2017.

4.In view of the above, the second respondent is hereby directed to consider the pending representation of the petitioner dated 17.02.2017, on merits within a period of four weeks from the date of receipt of a copy of this order.

5.This Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Tirunelveli Ltd.,
Tirunelveli.
2. The General Manager,
Tamil Nadu State Transport Corporation Tirunelveli Ltd.,
Ranithottam,
Nagercoil-629001,
Kanyakumari District.

+1 CC to M/s.N.S.RAMAKRISHNA DASS, Advocate, SR No. 69880.

+1 CC to M/s.K.SATHIYA SINGH, Advocate, SR No. 69591.

MRN/MR

PSM/KP/SAR1/23.08.2017/2P/5C

W.P. (MD) No.14410 of 2017
02.08.2017