



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD).No.4434 of 2017

G.Appas

..Petitioner

Vs.

1.State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Represented by its Managing Director,
Pallavan Salai, Chennai-02

2.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

..Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to pay interest at the rate of 18% per annum for the belated payment of the Gratuity and Commuted Value of Pension within the time limit that may be fixed by this Court.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathiya Singh

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 interest at the rate of 18% per annum for the belated payment of the Gratuity and Commuted Value of Pension within the stipulated time.

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

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



4. Having regard to the narrow scope of the present Writ petition, the Writ petition itself is taken up for disposal with the consent of both the learned counsel. The issue in the present Writ petition is only relating to the payment of interest. The fact that there was a delay in settling the Gratuity and Commuted value of pension is not in dispute. Though the learned counsel for the petitioner claim interest at the rate of 18% p.a., for the belated payment of the Gratuity and Commuted value of pension, he has restricted his claim to 6% p.a., with a default interest at the rate of 18% p.a., as it has been repeatedly held by the Hon'ble Division Bench.

5. Hence, this Writ petition is disposed of with the direction to the respondents 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 three months from the date of receipt of a copy of this order. In case of further delay beyond 3 months, the respondents are liable to pay interest at 9% p.a. No costs.

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Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1.Managing Director,
State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Pallavan Salai, Chennai-02.

2.The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

+1cc to M/S.A.RAHUL, Advocate SR.No.15242

+1cc to M/S.K.SATHIYA SINGH, Advocate SR.No.15292

ORDER MADE IN
W.P. (MD) .No.4434 of 2017
16.03.2017