



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.550 of 2017

G.Paulraj,
S/o.S.Ganapathy,
Special Officer(Retired), Staff No.81MR 002,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Head Office,
Residing at 64/15, North Car Street,
Ettayapuram,
Thoothukudi District-628 902. ..Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.
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, directing the respondents to pay interest at the rate of 18% per annum for the belated payment of the Provident Fund and Commuted Value of Pension within the time limit that may be fixed by this Court.

For Petitioner	: Mr.A.Rahul
For R-1	: Mr.D.Sivaraman, Standing Counsel.
For R-2	: Mr.A.P.Muthupandian

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 Provident Fund 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 first respondent and the learned counsel appearing for the second respondent.

3. Mr.D.Sivaraman, learned Standing Counsel, takes notice for the first respondent and Mr.A.P.Muthupandian, learned counsel takes notice for the second respondent.

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 Provident Fund 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 Provident Fund 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 Provident Fund 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.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.

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

+1 CC TO MR.A.RAHUL, ADVOCATE, SR NO.13414

+1 CC TO MR.D.SIVARAMAN, ADVOCATE, SR NO.13813

PMU

MAS/SKN-RSK:27.03.2017:2P-5C

ORDER MADE IN
W.P. (MD) .No. 550 of 2017
10.03.2017