



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.8243 of 2018

S.Sabariperumal

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Kattabomman Nagar,
Tirunelveli - 627 011.

... Respondent

Prayer: This Writ Petition is 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 6% per annum to the petitioner for the belated payment of Gratuity, Leave Salary and Provident Fund from the date of retirement to the date of actual payment.

For Petitioner : Mr.C.Thangamani
For Respondent : Mr.K.Sathiya Singh

O R D E R

The prayer in this writ petition is for a writ of mandamus, directing the respondents to pay interest at the rate of 6% per annum to the petitioner for the belated payment of Gratuity, Leave Salary and Provident Fund from the date of retirement to the date of actual payment.

2.Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondent.

3.The grievance of the petitioner is that the retiral benefits to the petitioner even though have been paid, 6% interest payable to the petitioner on the retiral benefit because of the belated payment has not so far been paid. In this regard, though the petitioner has given representation on 20.01.2018, the respondent has not passed any orders and the said interest at the rate of 6% for the belated payment to the retiral benefits so far has not been paid. Therefore, the petitioner seeks direction of this

Court to that effect to the respondent.

4.I have heard the learned standing counsel appearing for the respondent in this regard, who would submit that within a time frame that to be stipulated by this Court, the interest component amount shall be calculated and the same shall be paid.

5.Considering the said submission made by the learned standing counsel appearing for the respondent, this writ petition is disposed of with the following direction.

6.The petitioner's request made through the representation dated 20.01.2018 shall be considered by the respondent and 6% interest for the belated payment on the retiral benefits shall be calculated and shall be paid to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that if the respondent has not paid the said amount as directed above, within the time stipulated, the said amount shall carry further interest of 18% from the expiry of the said eight weeks.

7.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Kattabomman Nagar,
Tirunelveli - 627 011.

+ 1 cc TO Mr.C.Thangamani, Advocate in SR No. 61588
+ 1 cc TO Mr.K.Sathiya Singh , Advocate in SR No. 61510

Arul
AE/KKR/SAR4/28.05.2018/2P/4C

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