



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.06.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.13094 of 2018

T.Lakshmanabharathi

... Petitioner

Vs.

1.The Managing Director,
State Express Transport Corporation
Tamil Nadu Ltd.,
Madurai Branch, Melur Road,
Madurai - 7.

2.The Branch Manager,
State Express Transport Corporation
Tamil Nadu Ltd.,
Madurai Branch, Melur Road,
Madurai - 7.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Pallavan Salai,
Chennai.

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the interest on the belated payment of terminal benefits i.e. gratuity, commutation and leave salary with 18% per annum within the stipulated time fixed by this Court.

For Petitioner : Mr.S.Govindan
For Respondents : Mr.K.Sathyasingh for RR1 and 2
Mr.A.P.Muthupandian, for R3

O R D E R

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondents to settle the interest on the belated payment of terminal benefits i.e. gratuity, commutation and leave salary with 18% per annum within the stipulated time fixed by this Court.

2.Heard Mr.S.Govindan, learned counsel for the petitioner and Mr.K.Sathiyasingh, learned standing counsel appearing for the respondents 1 and 2 and Mr.A.P.Muthupandian, learned standing counsel appearing for the third respondent.



3.The learned counsel appearing for the petitioner had been working as Tradesman in the respondent Corporation and after completing his service, on superannuation, retired from service on 30.11.2012. Though he retired in November 2012, retirement benefits had not been immediately paid. Some of the benefits have been paid in 2013 and some of the benefits have been paid in 2016 and some of the benefits were paid during 2017 and 2018. Therefore, the petitioner is entitled to seek a nominal interest for the belated payment of the retirement benefits. Accordingly, the petitioner had made such request, which has not been yielded any result. Therefore, the petitioner had sent a detailed representation on 17.05.2018 to the respondents and if the said representation is directed to be considered on merits and in accordance with law and an order to that effect is directed to be passed, the petitioner would be satisfied.

4.I have heard the learned standing counsel appearing for the respondents 1 as well as the third respondent, who would submit that the representation of the petitioner dated 17.05.2018 would be considered on merits and in accordance with law, within a time frame.

5.Considering the said submissions made by both sides, this Court is inclined to pass the following order:

"The respondents 1 and 3 are directed to consider the representation of the petitioner dated 17.05.2018 with regard to his grievance of payment of interest for the belated payment of retirement benefits and pass orders thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

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

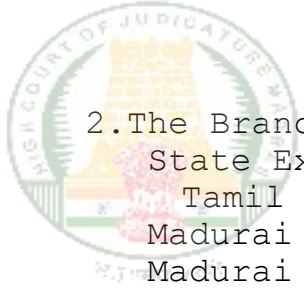
Sd/-
Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar

To

1.The Managing Director,
State Express Transport Corporation
Tamil Nadu Ltd.,
Madurai Branch, Melur Road,
Madurai - 7.



2.The Branch Manager,
State Express Transport Corporation
Tamil Nadu Ltd.,
Madurai Branch, Melur Road,
Madurai - 7.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Pallavan Salai,
Chennai.

+1cc to Mr.K.Sathyasingh, Advocate, SR.No.68967.

+1cc to Mr.S.Govindan, Advocate, SR.No.68835.

W.P (MD) No.13094 of 2018
20.06.2018

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RAM/PN/SAR 1/10.07.2018/3P/6C