



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P. (MD) No. 12444 of 2018

WEB COPY

N. Kumaravel

... Petitioner

-Vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Tirunelveli-627 003.

2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Nagercoil Region, Ranithottam,
Nagercoil-1.

3. The Administrator,
Tamil Nadu State Transport Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to pay 6% interest of the retirement benefits and to treat the petitioner's absence for duty from 01.06.2016 to 30.06.2016 (27 days) as Medical Leave and disburse Salary to the petitioner for the above said period in view of the representation dated 01.06.2018.

For Petitioner	: Mr.S.Royce Immanuel
For R1 & R2	: Mr.K.Sathyasingh
For R3	: Mr.A.P.Muthupandian

ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner has approached this Court, seeking interest for the delayed payment of retirement benefits paid by the respondent corporation to the petitioner.

3.The learned counsel appearing for the petitioner would submit that the issue raised in this writ petition is covered by a number of decisions and in this regard, he has produced a recent Judgment of this Court, dated 28.04.2018 made in W.P. (MD) No.10214 of 2018 in the case of **B.S.Sanal Kumar Vs. the**



Managing Director, Tamilnadu State Transport Corporation, Tirunelveli limited, Tirunelveli and another. In the said decision, I have passed the following order:-

"5.Considering the said submissions made by both sides, this writ petition is disposed of with the following direction:

"The respondents shall pay 6% interest for the delayed payment of retirement benefits to the petitioner, within a period of two months from the date of receipt of a copy of this order.

It is made clear that within the said two months, if the 6% interest are not paid, the same shall carry further interest of 18% per annum on the expiry of two months period."

4.The learned Standing Counsel appearing for the respondents would submit that in the line of the earlier order passed by this Court, this writ petition can also be disposed of with a direction to the respondents to pay the interest alone i.e., 6% interest for the delayed payment of retirement benefits of the petitioner.

5.Considering the said submissions made by both sides and also considering the earlier order passed by this Court including the order, which is referred above, this Court is inclined to pass the following order:-

"There shall be a direction to the respondents to pay 6% interest for the delayed payment of retirement benefits to the petitioner, within a period of two months from the date of receipt of a copy of this order.

It is made clear that within the said two months, if the 6% interest are not paid, the same shall carry further interest of 18% per annum on the expiry of the two months period."

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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

+1cc to Mr.S.Royce Immanuel, Advocate in SR. No.67842

+1cc to Mr.K.Sathyasingh , Advocate in SR. No.67939

MYR/RMI

MK/SKN RSK/SAR 1/03.07.2018/2P/3C

W.P(MD)No.12444 of 2018

12.06.2018

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