



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2018

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WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR**W.P. (MD) No.12917 of 2018**

R.Nagarajan

... Petitioner

-vs-

1. The Managing Director,
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Thiruvalluvar Illam, Pallavan Salai
Chennai 2

2. The General Manager,
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Thiruvalluvar Illam
Pallavan Salai, Chennai.

3. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai
Chennai - 2.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to settle interest at 6% per annum for the belated payment of PF, Leave Salary, gratuity and commuted value of pension from the date of the petitioner's retirement to till the date on which the said benefits were settled to the petitioner.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathiya Singh
standing counsel**ORDER**

The prayer sought for in this writ petition is for a writ of Mandamus to direct the respondents to settle interest at 6% per annum for the belated payment of PF, Leave Salary, gratuity and commuted value of pension from the date of the petitioner's retirement to till the date on which the said benefits were settled to the petitioner.



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

3. The learned counsel for the petitioner would submit that the petitioner was working as a Conductor at the respondent Corporation from 13.02.1987 and after serving 31 years, he retired from service on superannuation on 31.05.2017 and after his retirement, the entire retiral benefits have been paid. However, the same had been paid belatedly. Therefore, the petitioner, according to the learned counsel for the petitioner, would be entitled to seek a reasonable interest for such belated payment of retiral benefits. He would further submit that in this regard, the petitioner had given representation on 02.03.2018 to the respondents and if the said representation is directed to be considered on merits and in accordance with law, within a time frame, the petitioner would be satisfied.

4. I have heard the learned standing counsel for the respondents, who would submit that the second respondent, who is the competent authority to consider the representation of the petitioner, would consider the said representation of the petitioner and pass orders thereon within a time frame.

5. Considering the said submissions made by both sides and the limited scope of the writ petition, this Court is inclined to pass the following order:

"that the second respondent is directed to consider the representation of the petitioner dated 02.03.2018 on merits and in accordance with law with regard to the grievance of the petitioner for the belated payment of PF, Leave Salary, gratuity and commuted value of pension and pass orders thereon within a period of six weeks from the date of receipt of a copy of this order".

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

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Managing Director,
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Pondicherry Road, Illam, Pallavan Salai
Chennai 2



2. The General Manager,
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Thiruvalluvar Illam,
Pallavan Salai, Chennai.

WEB COPY

3. The Administrator
Tamil Nadu State Transport,
Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai
Chennai - 2.

+ 1 cc TO Mr.K.Sathiya Singh , Advocate in SR No. 72097

+ 1 cc TO Mr.A.Rahul , Advocate in SR No. 72060

RR

AE/PN/SAR1/18.07.2018/3P/6C

W.P. (MD) No.12917 of 2018
09.07.2018