



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.13040 of 2018

WEB COPY

A.Simon

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd.,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation
Tirunelveli Ltd.,
Ranithottam, Nagercoil - 629 001,
Kanyakumari District.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvallur House,
Pallavan Salai, Chennai - 600 002.

... 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 pay 18% interest for the belated payment of the petitioner retirement benefits i.e. Provident Fund, Gratuity, Leave Salary from the date of petitioner retirement to the actual date of payment of retirement benefits to the petitioner and pay the same to the petitioner within the time frame to be fixed by this Court.

For Petitioner : Mr.N.S.Ramakrishna Dass
For Respondents : Mr.K.Sathyasingh

ORDER

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondents to pay 18% interest for the belated payment of the petitioner retirement benefits i.e. Provident Fund, Gratuity, Leave Salary from the date of petitioner retirement to the actual date of payment of retirement benefits to the petitioner and pay the same to the petitioner within the time frame to be fixed by this Court.

2.Heard Mr.N.S.Ramakrishna Dass, learned counsel for the petitioner and Mr.K.Sathya Singh, learned standing counsel appearing for the respondents.



3.The petitioner is a retired employee of the respondent Corporation. After retirement, the retirement benefits, for which though the petitioner was entitled to, had not been paid immediately. Therefore, the petitioner after having made so many requests, was able to get the retirement benefits, with the result, retirement benefits had been paid belatedly. Therefore, for the belated payment, the petitioner is entitled to get interest and the said interest so far has not been paid. Therefore, in this regard, the petitioner has given a representation on 03.05.2018 and the learned counsel for the petitioner submits that if the said representation is directed to be considered and an order to that effect is directed to be passed, within a time from, the petitioner would be satisfied.

4.I have heard the learned standing counsel appearing for the respondents, who would submit that the said representation of the petitioner would be considered on merits and in accordance with law and if the petitioner is entitled to get interest, the same also be considered and will be paid.

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

"The second and third respondents are directed to consider the petitioner's representation dated 03.05.2018 on merits and in accordance with law and pass orders thereon, with regard to the claim of interest for the belated payment of retirement benefits at the rate of 6%, 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(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

+1CC to Mr.N.S.Ramakrishna Dass, Advocate, SR.No.69082
+1CC to Mr.K.Sathyasingh, Advocate, SR.No.68969

W.P(MD)No.13040 of 2018
20.06.2018

Arul