



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.06.2018

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) Nos.13878, 13879 and 13880 of 2018

In W.P. (MD) No.13878 of 2018:

Premalatha

... Petitioner

-vs-

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay 6% interest of the retirement benefits to the petitioner in view of the representation dated 14.06.2018.

In W.P. (MD) No.13879 of 2018:

Sakunthala

... Petitioner

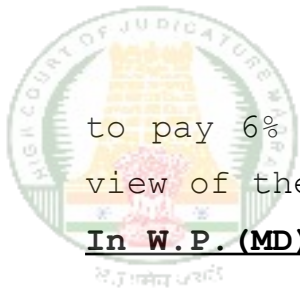
-vs-

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents



to pay 6% interest of the retirement benefits to the petitioner in view of the representation dated 21.06.2018.

In W.P. (MD) No.13880 of 2018:

O.Jawahar Ali

... Petitioner

-vs-

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay 6% interest of the retirement benefits to the petitioner in view of the representation dated 28.05.2018.

For Petitioner : Mr.S.Royce Immanuel (in all Petitions)

For Respondents : Mr.K.Sathyasigh (in all Petitions)
Standing Counsel for TNSTC

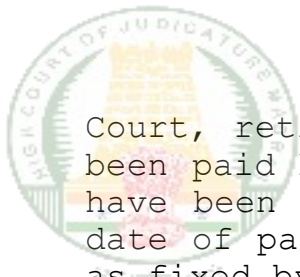
C O M M O N O R D E R

The prayer sought for in the writ petitions are for a Writ of Mandamus directing the respondents to pay 6% interest of the retirement benefits to the petitioner in view of the representation dated 14.06.2018, 21.06.2018 and 28.05.2018.

2. Heard Mr.S.Royce Immanuel, learned Counsel appearing for the petitioners in all the writ petitions and Mr.K.Sathyasingh learned Standing Counsel appearing for the respondents.

3. The learned Counsel appearing for the petitioners would submit that insofar as the Writ Petitions in W.P.(MD) No.13878 of 2018 and W.P.(MD) No.13879 of 2018 are concerned, the deceased employee's wives are the petitioners and in respect of W.P.(MD) No.13880 of 2018 is concerned, the retired employee is the petitioner.

4. The learned counsel for the petitioners would further submit that, since the retirement benefits of the employees had not been paid, they had already approached this Court by filing writ petitions separately and in pursuant to the orders passed by this



Court, retirement benefits payable to the respective employees have been paid by the respondent Corporation. However, the said payments have been made belatedly. Therefore, from the date of due till the date of payment, the respondents are liable to pay nominal interest as fixed by this Court for such belated payment.

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5. Therefore, the learned counsel for the petitioners would submit that when similar issues have been considered by this Court, directions were issued to the respondent Corporation to pay interest at the rate of 6% for the delayed period to pay retirement benefits and if the same direction is issued, the petitioners would be satisfied.

6. The learned Standing counsel appearing for the respondent Corporation would submit that the respective petitioners have already received the entire retirement benefits payable to the retired employees and since those benefits have been paid belatedly they seek for interest for such belated payment.

7. In this regard, the learned Standing Counsel would further submit that in similar circumstances, this Court has allowed only 6% interest payable to the respective employees for the belated payment of the retirement benefits and the very same interest would be paid to the present petitioners also within a period of two months.

8. Considering the said submissions made by both sides, especially by taking into account the submissions made by the Standing Counsel appearing for the respondent Corporation, this Court is inclined to pass the following order:

1. The respondents shall pay 6% interest for the belated payment of the retirement benefits to the respective petitioners within a period of two months from the date of receipt of a copy of this order.

2. 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"

9. With the above directions, the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To
1.The Managing Director,
Tamilnadu State Transport Corporation,
<https://hcservices.ecourts.gov.in/hcservices/>
Tirunelveli Limited,
Tirunelveli - 627 003.



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

+3cc to Mr.S.Royce Immanuel, Advocate, SR.No.70522, 70523 & 70524.
+3cc to Mr.K.Sathyasigh, Advocate, SR.No.70702, 70703 & 70704.

W.P.(MD) Nos.13878, 13879 and 13880 of 2018
29.06.2018

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RAM/RSK/SAR 1/13.07.2018/4P/9C