



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.07.2018
CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P (MD) Nos.14104 of 2018

C.Avudaiappan

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Kattabommannagar,
Tirunelveli 627 011.

... Respondent

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 interest at the rate of 6% per annum to the petitioner for the belated payment of Provident Fund from the date of retirement to the date of actual payment.

For Petitioner : Mrs.D.Ramya
For Respondent : Mr.K.Sathiya Singh

ORDER

The prayer sought for herein is for a Writ of Mandamus, directing the respondent to pay interest at the rate of 6% per annum to the petitioner for the belated payment of Provident Fund from the date of retirement to the date of actual payment.

2.Heard Mrs.D.Ramya, learned counsel appearing for the petitioner and Mr.K.Sathyasingh, learned standing counsel appearing for the respondent.

3.The petitioner was an erstwhile employee of the respondent Corporation and after serving long years, he retired from service on superannuation. Though service benefits had been paid to the petitioner, the Provident Fund payable to the petitioner had been paid belatedly i.e. after 20 months. Therefore, the petitioner, in order to get the interest for the belated payment of Provident Fund, has already requested the respondent to give interest portion. Since the same has not been considered, the petitioner has come out with the present writ petition.

4.I have heard the learned standing counsel appearing for the respondent, who would submit that entire retiral benefits had been paid to the petitioner and insofar as the payment of Provident Fund in concerned, since it was paid belatedly and for which the



petitioner wants interest, the respondent shall pay 6% interest per annum for the belated payment of Provident Fund from the date of due till the date of payment and such payment of interest would be made by the respondent, within a period of 8 weeks.

5.I have considered the submissions made by the learned standing counsel appearing for the respondent and after considering the limited scope of the writ petition, this Court is inclined to pass the following order:

"The respondent is directed to calculate and pay the interest for the belated payment of Provident Fund to the petitioner at the rate of 6% per annum from the date of due till the date of payment, 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 interest of 18% per annum on the expiry of two months period."

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

Sd/-

Assistant Registrar(Cr1.side)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Kattabommannagar,
Tirunelveli 627 011.

+1CC to Mrs.D.Ramya, Advocate, SR.No.70863

+1CC to Mr.K.Sathiya Singh, Advocate, SR.No. 70955

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Arul

ES/SKN/RSK/SAR 4/22.10.2018/2P/4C