



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2018

CORAM :

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.15533 of 2018

P.Mohan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

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

... 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 settle interest to the petitioner at 6% per annum for the belated payment of commuted value of pension, gratuity, provident fund, earned leave salary and medical leave salary from the date of his retirement to till the date on which the said benefit was settled to the petitioner.

For Petitioner : Mr.A.Raul

For Respondents: Mr.D.Sivaraman

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to settle interest to the petitioner at 6% per annum for the belated payment of commuted value of pension, gratuity, provident fund, earned leave salary and medical leave salary from the date of his retirement till the



date on which the said benefit was settled to the petitioner.

2. Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned standing counsel appearing for the respondents.

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3. The learned counsel appearing for the petitioner would submit that the grievance of the petitioner is that the petitioner's retiral benefits had been paid belatedly, especially the amount related to commutation of pension, provident fund, earned leave salary and medical leave salary and because of the belated payment, the petitioner was not getting the said benefits in time and since the said amount was due long back and since it was belatedly paid, the petitioner is entitled to get reasonable interest for such belated payment. Hence, in this regard, the petitioner has given representation on 02.07.2018. In spite of that, the interest has not been paid. Hence, if a direction is given to the respondents to settle the interest amount, within a time frame, the petitioner would be satisfied.

4. I have heard the learned standing counsel appearing for the respondents, who would submit that the entire retiral benefits have been paid to the petitioner and in certain heads, since it was paid belatedly, the respondents would pay 6% interest per annum for the said belated payment from the date of due till the date of payment and such payment would be made, within a period of two months.

5. Considering the said submissions made by both sides, this Court is inclined to pass the following order:

"The respondents are directed to calculate 6% interest per annum on the belated payment on retiral benefits such as commutation of pension, gratuity, provident fund, earned leave salary and medical leave salary and pay the same, within a period of two months from the date of receipt of a copy of this order, failing which, on the expiry of the two months period, it shall carry 18% interest."

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

Sd/-

Assistant Registrar (WRITS)

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To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

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

+ 1 CC TO MR.A.RAUL, ADVOCATE IN SR NO.74011
+ 1 CC TO MR.D.SIVARAMAN, ADVOCATE IN SR NO.73558

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BU/RSK/SAR-I :22.10.2018 : 3P/6C

W.P (MD) No.15533 of 2018
18.07.2018