



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2018

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) Nos.15262 to 15267 of 2018

WEB COPY

W.P. (MD) No.15262 of 2018

R.Rajendran	...Petitioner in WP.15262/18
B.Venkatasubbarao	...Petitioner in WP.15263/18
N.Padmanathan	...Petitioner in WP.15264/18
LAM.Alagarsami	...Petitioner in WP.15265/18
V.Govindaraj	...Petitioner in WP.15266/18
S.Abdul Khadher	...Petitioner in WP.15267/18

Vs.

- 1) The Managing Director
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye Pass Road,
Madurai 625 016 ... Respondent in WP.15265 TO 15267/18
- 2) The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002 ... Respondents 1 & 2 in WP.15262
to 15264/18

PRAYER: Petition 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 Gratuity and Pension Commutation from the date of retirement to the date of actual payment.

For Petitioner : Ms.D.Ramya

For Respondents : Mr. A.Jeyaraman,
Standing Counsel.C O M M O N O R D E R

Since the prayers sought for in these Writ Petitions by the respective petitioners are one and the same, these writ petitions are disposed of finally by this common order with the consent of both sides.



2. In these writ petitions, the respective petitioners are the erstwhile employees of the respondent Corporation. After having retired from service on superannuation, they have been paid with the retirement benefits by the respondents. However, insofar as these petitioners are concerned, some of the retirement benefits like Gratuity, Pension Commutation .. etc., had been paid belatedly, long after, the said amount became due. Because of the belated payments, these amount shall carry some nominal interest, for which, the petitioners have filed these writ petitions, seeking for the prayers that, for the belated payment the respondents shall pay nominal interest to the petitioners.

3. I have heard Ms.D.Ramya, learned counsel appearing for the petitioners in all the writ petitions and Mr. A.Jeyaraman, learned standing counsel appearing for the respondents in all the writ petitions.

4. Since in a number of similar cases, this Court has passed orders, where 6% interest per annum for the belated payment of retirement benefits have been ordered and those orders have been implemented by the respondent Corporation, these writ petitioners are also seeking a similar relief and therefore, these writ petitions are to be disposed of on the same line.

5. In the result, the respondents are directed to pay 6% interest for the belated payment of retirement benefits like Gratuity, Pension Commutation... etc., for each of the petitioner, from the date of due of the retirement benefits till the date of payment. Such interest shall be paid within a period of two months from the date of receipt of a copy of this order.

6. It is made clear that, if the said interest amount, as directed above, is not paid within the said period, the same shall carry an interest of 18% per annum for the amount payable, on the expiry of the said two months period and that shall also be paid by the respondents.

7. With these directions, these writ petitions are disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar(CS-I)



To

1) The Managing Director
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye Pass Road,
Madurai 625 016

2) The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002

+6 CC To MR.D.RAMYA, Advocate SR. NO. 73430

Common Order made in
W.P. (MD) Nos.15262
to 15267 of 2018
16.07.2018

STS

TR/SKN/SAR-I (25.10.2018) 3P 9C