



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 19.07.2018
CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.15689 of 2018

V.Maria Vincent

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
Tirunelveli Limited,
Tirunelveli 627 003.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Nagercoil Region, Ranithottam,
Nagercoil.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam, 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 the interest of retirement benefits with 6% interest to the petitioner in view of the representation dated 13.07.2018.

For Petitioner : Mr.S.Royce Immanuel
For Respondent : Mr.K.Sathiya Singh

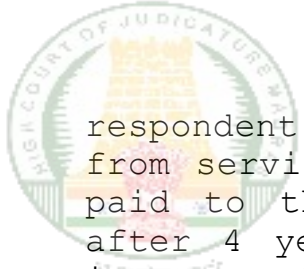
O R D E R

The prayer sought for herein is for a Writ of Mandamus, directing the respondents to pay the interest of retirement benefits with 6% interest to the petitioner in view of the representation dated 13.07.2018.

2.Heard Mr.S.Royce Immanuel, learned counsel appearing for the petitioner and Mr.K.Sathyasingh, learned standing counsel appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

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 same had been paid belatedly i.e. after 4 years. Therefore, the petitioner, in order to get the interest for the belated payment of retirement benefits, has already made a representation dated 13.07.2018 to the respondents to give interest @ 18% per annum. Since the same has not been considered, the petitioner has come out with the present writ petition.

4. The learned Counsel for the petitioner would submit that if the said representation is directed to be considered by the respondent Corporation and an order to that effect is directed to be passed within a specified time frame that may be fixed by this Court, the petitioner would be satisfied.

5. I have heard the learned standing counsel appearing for the respondents, who would submit that entire retiral benefits had been paid to the petitioner, if at all any belated payment in this regard, certainly the petitioner is entitled to get 6% interest per annum for the belated payment of retirement benefits from the date of due till the date of payment and such payment of interest would be made by the respondents, within a period of two months.

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

"The respondent Corporation is directed to calculate and pay the interest for the belated payment of retirement benefits 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 further interest of 18% per annum on the expiry of two months period."

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

Sd/-

Assistant Registrar (Writs)

/True Copy/



To

1. The Managing Director,
Tamil Nadu State Transport Corporation
Tirunelveli Limited,
Tirunelveli 627 003.

2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Nagercoil Region, Ranithottam,
Nagercoil.

3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.K.Sathiya Singh, Advocate SR.No.74051

+1cc to Mr.S.Royce Immanuel , Advocate SR.No.73817

Rm

MK/SKN/SAR 3/07.08.2018/3P/6C

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19.07.2018
(2/2)