



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMARW.P.(MD) No.17236 of 2018

WEB COPY

S.Sankararaj

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct 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.

For Petitioner : Mrs.D.Ramya

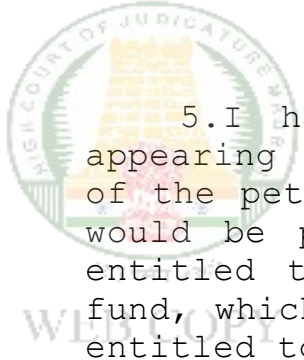
For Respondent : Mr.A.Jeyaram
Standing Counsel**ORDER**

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.A.Jeyaram, learned standing counsel appearing for the respondent.

3.The petitioner was erstwhile employee of the respondent Corporation and after serving for long years, he retired from service. After retirement, though the retirement benefits had been given with regard to the benefits of provident fund, the said amount was not paid immediately and after repeated request, it was paid belatedly. Because of the belated payment, the petitioner is entitled to get the nominal interest and therefore, in this regard, he had made a representation on 11.07.2018.

4.The learned counsel appearing for the petitioner would submit that if the said representation is directed to be considered and an order to that effect is directed to be passed within a time frame on merits, the petitioner would be satisfied.



5.I have heard Mr.A.Jeyaram, the learned Standing Counsel appearing for the respondent, who would submit that, the request of the petitioner would be considered and an order to that effect would be passed within a time frame. Since the petitioner is entitled to get the retirement benefits including the provident fund, which was paid belatedly, certainly, the petitioner would be entitled to get the nominal interest at the rate of 6% per annum.

6.In that circumstances, this Court is inclined to pass the following orders:-

"that the respondents shall consider the representation of the petitioner, dated 11.07.2018 with regard to the grievance of the petitioner to get interest for the belated payment of the provident fund and accordingly, decide the same and ultimately, the respondent shall calculate the amount for the belated period of payment of the provident fund and pay the interest at the rate of 6% per annum, within a period of two months from the date of receipt of a copy of this order."

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

Sd/-
Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

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

+1cc to Mr.A.Jeyaram, Advocate Sr.No.76646
+1cc to Mr.C.Thangamani, Advocate Sr.No.76654

RMI

VB/MMS/SAR3/20.08.2018/2P/4C

W.P. (MD) No.17236 of 2018
02.08.2018