



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.08.2018
CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD) No.18735 of 2018

L.Rajendran,
S/o.K.Lakshmanan,
Staff No.CR 61444,
46, North Ratha Veedi,
Chinnamanur,
Theni District - 625 515.

.. Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bye-pass Road, Madurai.

.. Respondent

Prayer: Writ Petition - filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to pay the interest towards the petitioner's terminal benefits interest for gratuity amount and interest for provident fund amount, which is delay payment in terminal benefits made by the respondent Corporation within the stipulated time frame as may be fixed by this Court.

For Petitioner	: Mr.A.Mu.Sharavanan
For Respondent	: Mr.A.Jeyaram

ORDER

The petitioner has come forward with this writ petition, for issuance of a Writ of Mandamus, directing the respondent to pay the interest towards the petitioner's terminal benefits, interest for gratuity amount and interest for provident fund amount, which have not been so far disbursed by the respondent Corporation within the stipulated time frame as may be fixed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, the petitioner was appointed as Conductor in the respondent Corporation on 21.09.1986 and thereafter, he was regularised on 21.09.1988. At the time of his retirement on 31.07.2016, he was working as Special Grade Conductor. The respondent has not settled his terminal benefits towards gratuity amount, provident fund amount and leave salary. Since the petitioner made several representations to the respondent in this



regard, the respondent has not paid the terminal benefits. Thereafter, the respondent paid his terminal benefits in dues with delay, for which, the petitioner made a representation to the respondent on 22.08.2018 for settling the interest amount. Since the respondent has not taken any steps, the petitioner is before this Court.

4. Heard the learned counsel appearing for the petitioner and the respondent.

5. Considering the facts and circumstances of the case, the petitioner would be entitled to get interest at the rate of 6% per annum for the belated payment of terminal benefits namely gratuity and provident fund, from the actual disbursement date and accordingly, the respondent is directed to pay the interest at the rate of 6% per annum for the belated payment of terminal benefits namely gratuity and provident fund, from the actual disbursement date within a period of two months from the date of receipt of a copy of this order.

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

Sd/-
Joint Registrar(Judicial)

/True Copy/

Sub Assistant Registrar(CS-I)

+1CC to Mr.A.Mu.Sharavanan, Advocate, SR.No. 80962
+1CC to Mr.A.Jeyaram, Advocate, SR.No.80971

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SM
ES/SKN/RSK/SAR 1/17.10.2018/2P/3C