

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.09.2019

CORAM

THE HON'BLE Mr.JUSTICE M.DHANDAPANI

W.P.No.16768 of 2019

M.Ramamurthy

... Petitioner

.vs.

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore 641 043.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate Writ, order or direction in the nature of a writ, directing the respondent to pay appropriate interest to make good the deficit in interest payment made to the petitioner towards terminal benefits especially Gratuity, Provident Fund amount by calculating appropriate interest period from the date of retirement up to the date of respective payment made already within the stipulated period.

For Petitioner : Mr.A.Rajendiran

For Respondent : Mr.P.Kannan Kumar

O R D E R

This petition has been filed by the petitioner seeking for issuance of Writ of Mandamus to direct the respondent to pay appropriate interest to make good the deficit in interest payment made to the petitioner towards terminal benefits especially Gratuity, Provident Fund amount by calculating appropriate interest period from the date of retirement up to the date of respective payment made already within the stipulated period.

2. The petitioner, having working as Tradesman in the Coimbatore Region of respondent, retired on 30.11.2016 on attaining the age of superannuation. It appears that the terminal benefits of the petitioner were not settled immediately after the retirement of the petitioner which prompted the petitioner to file a Writ Petition (W.P.No.43493 of 2016)

wherein this Court directed the respondent to settle the terminal benefits in twelve equal monthly installments with 6 % interest, failing which, to pay a same with 18% per annum. Thereafter, it appears that the respondent settled all the terminal benefits to the petitioner. However, according to the petitioner, he is entitled to the interest for the delayed payment of terminal benefits from the date of due till the date of settlement. The grievance of the petitioner is that for the delay of total period of 165 days, the interest on the principal amount of Rs.8,59,516/- works out to Rs.23,313/-. But the petitioner was paid only Rs.8,336/-. Therefore, the petitioner has come forward with the present Writ Petition.

3. The learned counsel appearing for the respondent would submit that the terminal benefits have been settled in favour of the petitioner including interest payable there on and absolutely there is no deficit in interest payment made to the petitioner towards his terminal benefits especially Graduity Provident Fund. He would also place a copy of the details before this Court showing particulars of payment of terminal benefits along with interest on on date wise. The same is hereby extracted under:

Sl.No	Particulars	Amount in Rs.	Balance
1	Graduity amount to be paid	859516	Nil
	Paid on 15.06.2017 by RTGS	859516	
	Total	859516	
	Interest paid on 29.06.2018 & 05.07.2018	8336	

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Sl.No	Particulars	Amount in Rs.	Balance
2	PF amount to be paid	650338	Nil
	1 st installment paid on 04.12.2017 by RTGS	150000	
	2 nd installment paid on 03.01.2018 by RTGS	124000	
	3 rd installment paid on 11.01.2018 by RTGS	376338	
	Total	650338	
	Interest paid by RTGS	9621	
3	EL Surrender amount to be paid	190107	Nil
	1 st installment paid on 11.10.2017 by RTGS	4000	
	2 nd installment paid on 31.10.2017 by RTGS	35000	
	3 rd installment paid on 12.01.2018 by RTGS	151107	
	Total	190107	
	Interest paid by RTGS on 19.09.2018	11247	

4. Perusal of the above details, it would explicit that the terminal benefits of the petitioner have been settled by the respondent and interest also paid on 29.06.2018 and 05.07.2018. Therefore, this Court does not find any discrepancy in the payment of interest with regard to the terminal benefits settled by the respondent in favour of the petitioner. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS VIII)

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Sub Assistant Registrar

To

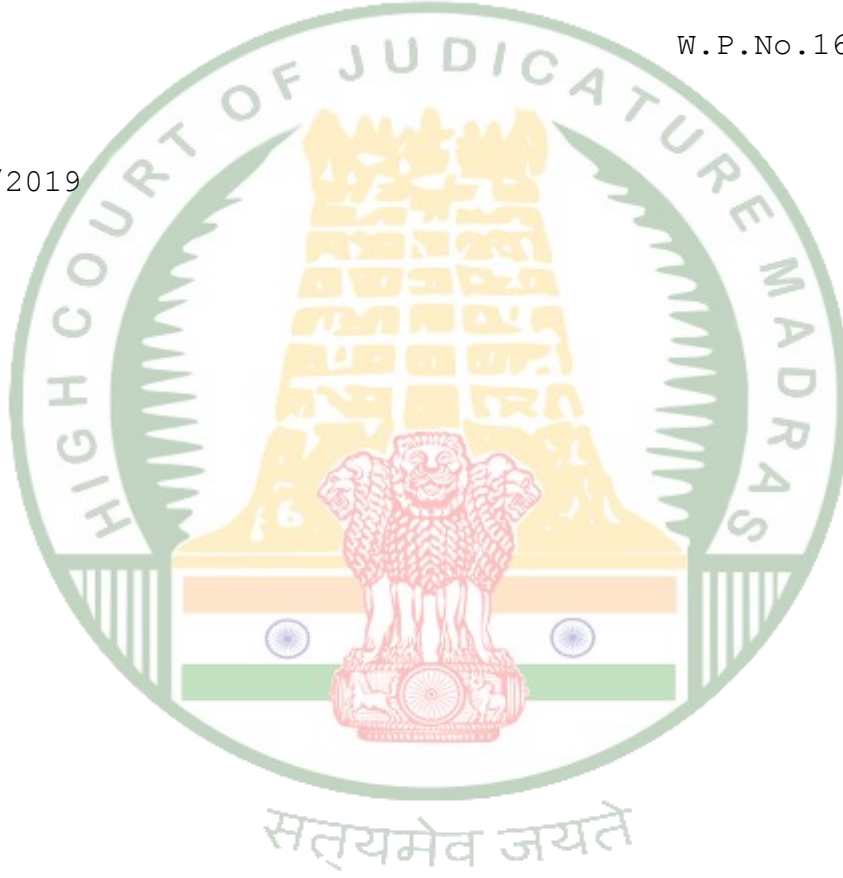
The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore 641 043.

+lcc to Mr.A.Rajendiran, Advocate Sr.81784

+lcc to Mr.P.Kannankumar Advocate Sr.82914

W.P.No.16768 of 2019

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