

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :03.10.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.Nos. 28874 & 28877 of 2019

W.P.No. 28874 of 2019

S.Balasubramanian

..Petitioner

vs

1.The Management,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd,
Villupuram Region,
Salamedu Villupuram,
villupuram District - 605 602.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund,
Pallavan Salai, Chennai - 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the respondents to pay interest for the belated
payment of gratuity and commutation of pension amount to the
petitioner.

W.P.No. 28877 of 2019

D.Subburaman

..Petitioner

vs

The Management,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd,
Villupuram Region,
Salamedu Villupuram,
villupuram District - 605 602.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the respondent to pay interest for the belated payment
of gratuity to the petitioner.

For Petitioner : Mr.S.T.Varadarajulu
(In both Wps)

For Respondents : Mr.A.Antony Arockiaraja
(In both Wps)

C O M M O N O R D E R

Since the prayer in the above Writ Petitions are one and the same, they are clubbed together and a common order is passed.

2. By consent of both the parties, the Writ Petitions are taken up for final disposal.

3. The case of the petitioners is that they are retired employees of the respondent Corporation. They retired on 30.06.2010 and 31.07.2012 respectively. Thereafter, their terminal benefits were settled belatedly on 14.07.2011 and 09.05.2015 respectively, for which the petitioners made representations on 30.07.2019 and 26.08.2019 claiming interest for the belated payment. However, the representations sent by the petitioners were not considered, hence, the present Writ Petitions are filed.

4. The learned counsel for the petitioners would submit that the petitioners were retired from service in the year 2010 and 2012 respectively and their settlements were paid after a lapse of 12 months and 32 months respectively. Therefore, they are entitled to the interest of 10% for the belated payment.

5. Heard the counsel on either side and perused the records.

6. It is seen that the petitioners were retired from the service in the year 2010 and 2012 respectively and their terminal benefits were settled in the year 2011 and 2015 respectively. However, till date the petitioners have not taken any steps to approach this Court to get the benefits and after a lapse of 5 years, without any explanation, they filed the present Writ Petitions and the same is unsustainable one. Therefore, I am not inclined to issue any direction to the respondents for the payment of interest.

7. Accordingly, the Writ Petitions are dismissed on the grounds of laches. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Management,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd,
Villupuram Region,
Salamedu Villupuram,
villupuram District - 605 602.

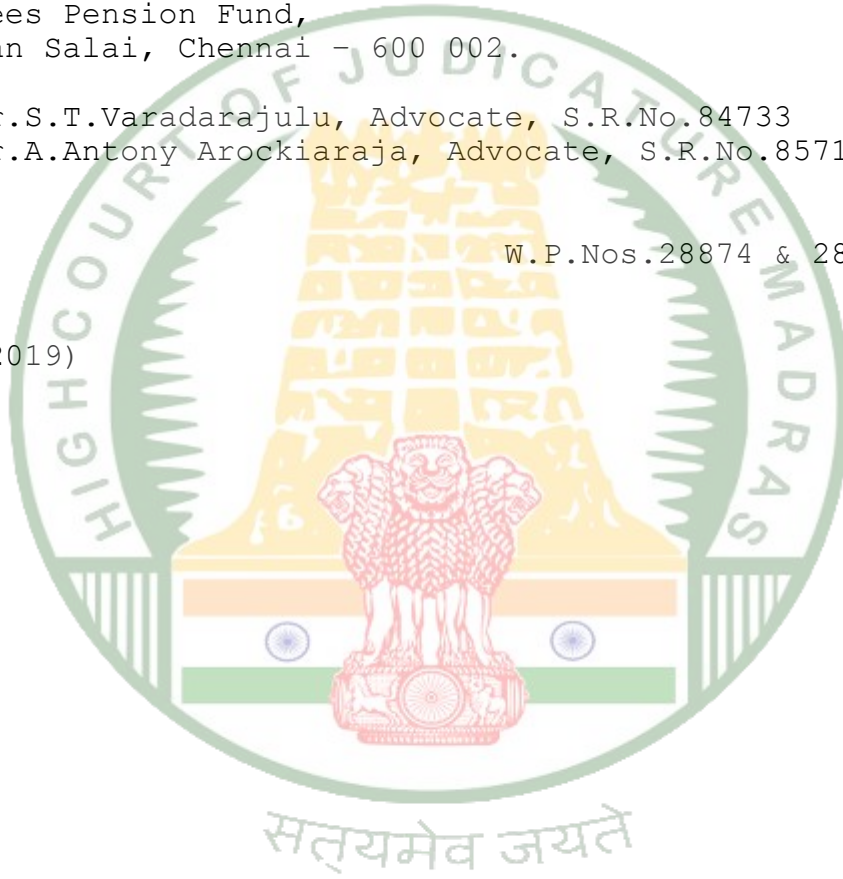
2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund,
Pallavan Salai, Chennai - 600 002.

+1cc to Mr.S.T.Varadarajulu, Advocate, S.R.No.84733

+1cc to Mr.A.Antony Arockiaraja, Advocate, S.R.No.85718

W.P.Nos.28874 & 28877 of 2019

SPD(CO)
NR(18/11/2019)



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