



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.9857 of 2019

WEB COPY

M. Soundararajan

... Petitioner

Vs.

1. Tamil Nadu State Transport Corporation

(Madurai) Ltd.,

Rep. by its Managing Director,

Bye Pass Road, Madurai - 625 016.

2.The Administrator,

Tamil Nadu State Transport Corporation

Employee Pension Fund Trust,

Thiruvalluvar Illam,

Pallavan Salai, Chennai - 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay 18% interest for the belated payment of terminal benefits of Gratuity, Commutation and Leave Salary amount payable to the petitioner and all other attendant benefits to him, within the stipulated period.

For Petitioner : Mr.A. Rahul

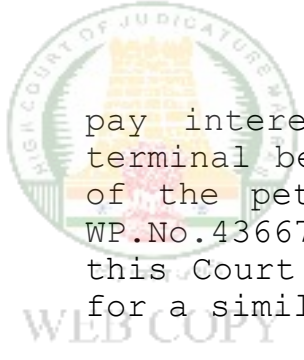
For Respondents : Mr. A. Jeyaram

ORDER

This writ petition is filed seeking to direct the respondents to pay 18% interest for the belated payment of terminal benefits of Gratuity, Commutation and Leave Salary amount payable to the petitioner and all other attendant benefits to him, within the time stipulated by this Court.

2. Mr. A. Jeyaram, learned Standing Counsel, took notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The learned counsel for the petitioner submitted that the petitioner retired from service way back in the year 2008. However, his terminal benefits has been settled recently. Hence, seeking interest for the belated payment of terminal benefits, the petitioner has filed the present Writ Petition. He also relied upon a decision of this Court in WP.No.30819 of 2018, dated 22.11.2018, in which, a direction has been given to the respondents therein to



pay interest at the rate of 6% p.a on the belated payment of terminal benefits, in respect of similarly placed persons like that of the petitioner, based upon the order passed by this Court in WP.No.43667 of 2016, which has been upheld by the Division Bench of this Court in W.A.No.665 of 2018. Hence, the learned counsel prayed for a similar order in this Writ Petition also.

4. The learned Standing Counsel appearing for the respondents has no serious objection in granting such relief to the petitioner.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and also following the earlier order of this Court, this Writ Petition is disposed of directing the respondents to pay interest at the rate of 6% p.a on the belated payment of terminal benefits to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

trp

To

1. Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Rep. by its Managing Director,
Bye Pass Road, Madurai - 625 016.

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

+1 CC to M/s.A.K.THANGAVELU, Advocate SR-61998.

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CS: (03/06/2019) 2P 4C