

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 01.07.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P.(MD)No.17698 of 2014

V.Rengaraj

... Petitioner

Vs.

1.The Administrator,
The Tamil Nadu State Transport Corporation
(Madurai) Ltd Employees Gratuity fund Trust,
Madurai-10.

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

3.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Dindigul Region,
Bye Pass Road,
Dindigul.

... Respondents

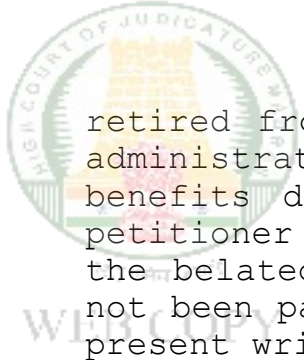
PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the 2nd respondent in Ref.LD:L1:7534/14 dated 01.07.2014 and quash the same as illegal and consequently direct the respondents to pay interest at the rate of 18% per annum for the belated payment of Rs.5,60,812/- towards retirement benefit of Gratuity from the date of retirement ie., 31.07.2011 to the date of full settlement ie., 30.12.2013 within a time stipulated by this Court.

For Petitioner : Mr.J.Lawrance
For R1 to R3 : Mr.A.Jeyaram

ORDER

The relief sought for in the present writ petition is to quash the order of rejection, dated 01.07.2014 denying interest for the belated settlement of gratuity to the writ petitioner.

2.The learned counsel for the writ petitioner states that the writ petitioner was serving in the Transport Corporation and he was



retired from service on 31.07.2011. However, there was an enormous administrative delay in settling the terminal and pensionary benefits due to the petitioner. Even as per the rules, the writ petitioner is entitled to get interest at the rate of 6% p.a., for the belated payment of gratuity amount. The said interest has also not been paid. Thus, the writ petitioner is constrained to move the present writ petition.

3.The learned counsel appearing for the respondent Corporation states that the respondents/Corporation is facing financial crunch and they were not in a position to settle the terminal benefits to the employees, during the relevant point of time. Now, the terminal benefits due to the writ petitioner has already been settled and the interest alone is to be paid with reference to the rules in force.

4.In view of the submission made by the learned counsel appearing for the respondents/Corporation as well as the learned counsel for the petitioner, this Court is inclined to consider the claim made in the writ petition. Accordingly, the respondents/Corporation are directed to pay the interest at the rate of 6% p.a., for the belated settlement of gratuity to the writ petitioner within a period of 12 weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (RTI)

/ True Copy /

Sub Assistant Registrar(CS-)

To

- 1.The Administrator,
The Tamil Nadu State Transport Corporation(Madurai) Ltd,
Employees Gratuity fund Trust, Madurai-10.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation(Madurai) Ltd.,
Bye Pass Road, Madurai.
- 3.The General Manager,
Tamil Nadu State Transport Corporation(Madurai) Ltd.,
Dindigul Region, Bye Pass Road, Dindigul.

W.P. (MD) No.17698 of 2014
01.07.2019