

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

DATED: 28.02.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.1662 of 2016**
and W.M.P(MD)No.19075 of 2017

K.Kalangiam

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Feeder Road,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Thirumayam Road,
Pudukottai.

... Respondents

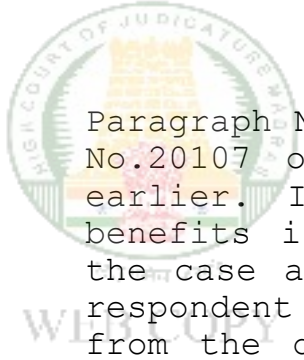
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to settle the entire terminal benefits of Gratuity, Surrender of Earned Leave and Encashment, arrears of Dearness Allowance, Encashment of Medical Leave immediately with interest at the rate of 12% from the date of the petitioner's retirement on 30.06.2014.

For Petitioner : Mr.K.S.Muthu

For Respondents : Mr.D.Sivaraman

ORDER

According to the petitioner, he worked in the respondent Corporation as clerk and he was permitted to retire from service on 30.06.2014. However, the terminal and pensionary benefits due to him have not been settled. Hence, he made representation to the respondents. However, the same yielded no result. As he is entitled to receive all the terminal and pensionary benefits, the petitioner has come forward with the present writ petition seeking a direction to the respondents to settle the entire terminal benefits of Gratuity, Surrender of Earned Leave and Encashment, arrears of



Paragraph Nos.4 to 20 of the order dated 28.02.2019 passed in WP(MD) No.20107 of 2018 and pay the benefits accordingly, if not paid earlier. Insofar as the interest on belated payment of retiral benefits is concerned, considering the facts and circumstances of the case and having regard to the present day cost of living, the respondent authorities are directed to pay interest at 8% per annum, from the date of entitlement till the date of payment of entire amount, failing which, the same shall carry penal interest at 18% p.a. for the default period. Such an exercise shall be completed, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

ps

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Feeder Road,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Thirumayam Road, Pudukottai.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-50841[F] dated 01/03/2019)
+1 CC to M/s.SPL GP (SR-51035[F] dated 01/03/2019)

W.P(MD)No.1662 of 2016
28.02.2019

ES/13.05.2019/3P/5C