



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22260 of 2019

R.Dharmalingam

... Petitioner

-Vs-

1.The Management of
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Trichy Region, Represented by its General Manager,
Trichy.

2.The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai,
Chennai-2.

... Respondents

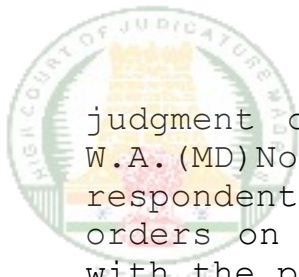
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay interest at the rate of 18% per annum for the period of delay from 01.10.2018 to 20.09.2019, in paying the amounts paid towards the terminal and pension benefits of the petitioner, namely, EPF Employees' Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondents : Mr.P.Balasubramanian

ORDER

This Writ Petition is filed to direct the respondent to pay interest at the rate of 18% per annum for the period of delay from 01.10.2018 to 20.09.2019, in paying the amounts paid towards the terminal and pension benefits of the petitioner, namely, EPF Employees' Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court.

2.According to the petitioner, he was appointed as Junior Tradesman on 27.05.1982 and retired from service on 30.09.2018, as TE Level-6, on attaining the age of superannuation. His terminal benefits were settled on 20.09.2019, after delay of more than 12 months. The grievance of the petitioner is that, the respondent has not paid the interest for the delayed payment as per the



judgment of the First Bench of this Court, dated 12.06.2015 in W.A. (MD) Nos.383 to 457 of 2015. He made representation to the respondent on 28.09.2019 and the respondent has not passed any orders on the representation. Hence, the petitioner has come out with the present Writ Petition.

WEB COPY

3. Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the respondent and perused the materials available on record.

4. This issue has already been decided by the First Bench of this Court referred to above. In view of the same, the respondent is directed to pay the interest at the rate of 6% for the delayed payment in twelve (12) equal monthly installments on or before 10th day of every English Calendar month. The first installment is to be paid on or before 10th day of February, 2020.

5. In the result, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

Myr

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-95879[F] dated 04/11/2019)

W.P. (MD) No.22260 of 2019

04.11.2019

_KM/(13.12.2019) 2P 2C