



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.22150 of 2019

S.Palanivelan

... Petitioner

vs.

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

2.The Administrator  
Tamil Nadu State Transport Employee's 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 respondents to pay interest at the rate of 18% per annum, for the period of delay from 01.05.2018 to 20.09.2019, in paying the amounts paid towards the terminal and pension benefits of the petitioner namely EPF Employee's Contribution, Gratuity, Encashment of Earned Leaves, 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 for a direction to the respondents to pay interest at the rate of 18% per annum, for the period of delay from 01.05.2018 to 20.09.2019, in paying the amounts paid towards the terminal and pension benefits of the petitioner namely EPF Employee's Contribution, Gratuity, Encashment of Earned Leaves, within a time frame as stipulated by this Court.

2. Heard Mr.S.Arunachalam, learned counsel appearing for the petitioner and Mr.P.Balasubramanian, learned counsel appearing for the respondent.



3. According to the petitioner, he was working as Special Grade Driver in the respondents Transport Corporation and retired from service on 30.04.2018. His terminal benefits were settled on 21.09.2019 after delay of more than one year. The grievance of the petitioner is that, the respondents have 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 respondents on 28.09.2019 and the respondents have not passed any orders on the representation. Hence, the petitioner has come out with the present writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents and perused the materials available on record.

5. This issue has already been decided by the First Bench of this Court referred to above. In view of the same, the respondents are directed to pay the interest at the rate of 6% for the delayed payment in twelve (12) equal monthly instalments on or before 10<sup>th</sup> day of every English Calendar month. The first instalment is to be paid on or before 10<sup>th</sup> day of March, 2020.

6. With the above direction on, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

Msa

TO

1.The Management of  
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Represented by its General Manager  
Trichy

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Tamil Nadu State Transport Employee's Pension Fund Trust  
Thiruvalluvar Illam  
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+1CC TO MR.P.BALASUBRAMANIAN, ADVOCATE, SR NO.99592

**W.P(MD)No.22150 of 2019**

**18.11.2019**