



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.23104 of 2019

P.M.Kanagaraju

... Petitioner

vs.

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) ltd.,
Represented by its Managing Director,
Bye Pass Road,
Kumbakonam-612 401.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) ltd.,
Trichy Region,
Trichy.

3.The Administrator
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam
Pallavan 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 settle interest for the belated payment of the petitioner's terminal benefits including Gratuity, Terminal Leave Salary, Commuted Value of Pension and Provident Fund from the date of the petitioner's retirement to till the date on which the said benefits were settled to him.

For Petitioner: Mr.A.Rahul

For R1 & R2 : Mr.P.Balasubramanian

For R3 : Mr.A.Swaminathan

ORDER

This writ petition is filed for a direction to the respondents to settle interest for the belated payment of the petitioner's terminal benefits including Gratuity, Terminal Leave Salary, Commuted Value of Pension and Provident Fund from the date of the petitioner's retirement to till the date on which the said benefits were settled to him.

2. Mr.P.Balasubramanian, learned counsel takes notice for the respondents 1 & 2 and Mr.A.Swaminathan, learned counsel takes notice for the third respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.



3. According to the petitioner, he was working as Conductor Level-5 in the first respondent Transport Corporation and retired from service on 30.04.2018. His terminal benefits were settled on 20.09.2019 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 10.10.2019 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 10th day of every English Calendar month. The first instalment is to be paid on or before 10th day of February, 2020.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

AM

TO

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) ltd.,
Bye Pass Road, Kumbakonam-612 401.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) ltd.,
Trichy Region, Trichy.

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

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-95899[F]

+1 CC to M/s.A.RAHUL, Advocate (SR-95923[F] dated 04/11/2019)

SMA/20/12/19/2P/6c

W.P (MD) No.23104 of 2019

04.11.2019