



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.22968 of 2019

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Santhanasekaran

... Petitioner

vs.

1.The Managing Director

Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
New Railway Station Road
Kumbakonam
Thanjavur District 612 001

2.The General Manager

Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region
Managiri Post, Karaikudi
Sivagangai District

3.The Financial Advisor

Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
New Railway Station Road
Kumbakonam
Thanjavur District 612 001

4.The Administrator

Tamil Nadu State Transport Corporation Ltd.,
Employees Pensions Fund Trsut
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 disburse interest at the rate of 6% for retirement benefits, Gratuity, Commutation, Earn Leave and interest at the rate of 8.5% for Provident Fund.

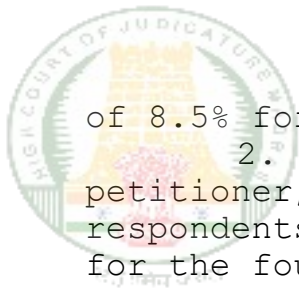
For Petitioner : Mr.K.Gokul

For R1 to R3 : Mr.P.Balasubramanian

For R4 :Mr.A.Swaminathan

ORDER

This writ petition is filed for a direction to the respondents to disburse interest at the rate of 6% for retirement benefits, Gratuity, Commutation, Earn Leave and interest at the rate



of 8.5% for Provident Fund.

2. Heard Mr.K.Gokul, learned counsel appearing for the petitioner, Mr.P.Balasubramanian, learned counsel appearing for the respondents 1 to 3 and Mr.A.Swaminathan, learned counsel appearing for the fourth respondent.

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3. According to the petitioner, he was appointed as Conductor in the respondents Corporation on 01.04.1994 and retired from service on 31.05.2018 as Conductor. His terminal benefits were settled on 31.08.2019, after delay of one year and three months. 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. 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 March 2020.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Msa

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-100801[F] dated 22/11/2019)

+1 CC to M/s.K.GOKUL, Advocate (SR-100740[F] dated 22/11/2019)

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21.11.2019

KK/SAR/12.12.2019/2P-3C/