



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.23448 of 2019

C.Paul Lourdu Raj

... Petitioner

vs.

The Management of
Tamil Nadu State Transport
Corporation (Kumbakonam) ltd.,
Trichy Region,
Rep. by its General Manager,
Trichy.

... Respondent

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 01.03.2019 to 20.09.2019, in paying the amounts towards the terminal benefits of the petitioner namely EPF Employee's Contribution, Gratuity, Encashment of Earned/Sick Leaves, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

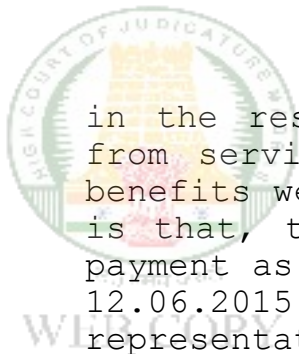
For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.P.Balasubramanian

ORDER

This writ petition is filed for a direction to the respondent to pay interest at the rate of 18% per annum, for the period of delay from 01.03.2019 to 20.09.2019, in paying the amounts towards the terminal benefits of the petitioner namely EPF Employee's Contribution, Gratuity, Encashment of Earned/Sick Leaves, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

2. Mr.P.Balasubramanian, learned counsel takes notice for the 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 appointed as Driver



in the respondent Transport Corporation on 02.12.1985 and retired from service on 28.02.2019 as Driving Instructor. His terminal benefits were settled on 20.09.2019. 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. She made representation to the respondent on 30.09.2019 and the respondent has 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 respondent 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 respondent is 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-III)

// True Copy //

Sub Assistant Registrar(CS)

To

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

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-96907[F] 08/11/2019)

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