



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2019

CORAM:

THE HONOURABLE **MS. JUSTICE V.M.VELUMANI**

W.P.(MD) No.23791 of 2019

A.Joseph Fernandez

... 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.

... 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 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 Respondents : Mr.D.Sivaraman

ORDER

This Writ Petition is filed to direct the respondents to settle interest for the belated payment of the petitioner's terminal benefits including Gratuity, Terminal Leave Salary and Provident Fund from the date of the petitioner's retirement to till the date on which the said benefits were settled to him, within a time frame.

2.Mr.D.Sivaraman, learned counsel takes notice on behalf of the respondents. By consent of both parties, this 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 respondent Transport Corporation and retired from service on 31.07.2018. His terminal benefits were settled belatedly, after delay of more than one year. The grievance of the petitioner is that, the respondents/Corporation 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 respondents/Corporation on 09.10.2019 and the respondents/Corporation 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, 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 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.

6. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

gns

+1CC TO MR.D.SIVARAMAN, Advocate Sr. No.97828

+1CC TO MR.A.RAHUL, Advocate Sr. No. 97643

W.P. (MD) No.23791 of 2019
12.11.2019

AL(CO)

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