



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.23869 of 2019

- 1.G.Karthikeyan
- 2.K.Ravichandran
- 3.V.Santhamoorthy
- 4.V.Yogasundaram

... Petitioners

-Vs-

- 1.The Government of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department, Secretariat, Chennai-600 009.

- 2.The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Railway Station Road, Kumbakonam,
Thanjavur District.

- 3.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Railway Station Road, Kumbakonam,
Thanjavur District.

- 4.The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvallurvar 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 settle the interest for the belated payment of retiral benefits payable to the petitioner with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioners	: Mr.N.Sudhagar Nagaraj
For R1	: Mr.V.R.Shanmuganathan, Special Government Pleader.
For R2 and R3	: Mr.D.Sivaraman

ORDER

This Writ Petition is filed to direct the respondents to settle the interest for the belated payment of retirement benefits payable to the petitioners with 18% rate of interest within the time frame that may be stipulated by this Court.



2.Mr.V.R.Shanmuganathan, learned Special Government Pleader appearing for the first respondent and Mr.D.Sivaraman, learned counsel takes notice on behalf of the respondents 2 and 3. Notice to the fourth respondent is dispensed with, since no adverse order is going to be passed against the fourth respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioners, they lastly worked as Special Grade Driver, Special Grade Driver, Special Grade Conductor and Special Grade Driver respectively in the respondent Transport Corporation and retired from service on 30.06.2018, 31.07.2018, 31.07.2018 and 31.01.2019. Their terminal benefits were settled on 31.08.2019 with a long delay. The grievance of the petitioners 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. They have made representation to the respondents on 14.10.2019 and the respondents have not passed any orders on the representation. Hence, the petitioners have come out with the present writ petition.

4.Heard the learned counsel appearing for the petitioners, the learned Special Government Pleader appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3 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 (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

Myr



To

1 The Secretary to Government,
Government of Tamil Nadu,
Transport Department, Secretariat, Chennai-600 009.

2.The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Railway Station Road, Kumbakonam,
Thanjavur District.

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Pension Fund Trust,
Thiruvallurvar Illam, Anna Salai,
Chennai-2.

+1 CC to Mr.N.SUDHAGAR NAGARAJ, Advocate (SR-98150[F] dated
14/11/2019)

+1 CC to SPL GP (SR-98422[F] dated 14/11/2019)

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-98608[F] dated 15/11/2019)

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