



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.24921 of 2019

1.M.Duraisamy
2.G.Udayakumar
3.M.Rethinam

... 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) Ltd.,
Railway Station Road
Kumbakonam
Thanjavur District 612 001

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

4.The Administrator
Tamil Nadu State Transport Corporation Ltd.,
Employees Pensions Fund Trust
Thiruvalluvar House
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 the interest for the belated payment of retiral benefits payable to the petitioners with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioner: Mr.N.Sudhagar Nagaraj

For R1 : Mr.V.R.Shanmuganathan
Special Government Pleader

For R2& R3 :Mr.D.Sivaraman



ORDER

This writ petition is filed for a direction to the respondents to settle the interest for the belated payment of retiral benefits payable to the petitioners with 18% rate of interest within the time frame to be fixed by this Court.

2. Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice of the first respondent and Mr.D.Sivaraman, learned counsel takes notice for the respondents 2 and 3. By consent of parties, this Writ petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioners, they were appointed as Special Grade Driver and Special Grade Tradesman in the 2nd and 3rd respondents Corporation and retired from service on 30.04.2018 and 30.06.2018 respectively. Their terminal benefits were settled with a long delay on 31.08.2019. 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 made representation to the respondents on 25.10.2019 and the respondents have not passed any orders on the representation. Hence, the petitioners have come up 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 (Records)

// True Copy //

Sub Assistant Registrar(CS)

To

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

+1 CC to M/s.N. SUDHAGAR NAGARAJ, Advocate (SR-101355[F] 26/11/2019)
+1 CC to M/s.D. SIVARAMAN, Advocate (SR-101577[F] 26/11/2019)
+1 CC to M/s.Special Govt.Pleader (SR-101520[F] dated 26/11/2019)

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SDS (17.12.2019) 3P 5C

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