



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2019

CORAM:

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

W.P.(MD) No.23776 of 2019

WEB COPY

C.Mohankumar

... Petitioner

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.

3.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region, Nagapattinam.

4.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

... 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 as follows:

Interest amount for Gratuity of	Rs.8,04,672/-
Interest amount for Earned leave of	Rs.1,23,880/-
Interest amount for Commutation of Pension	Rs.6,88,595/-
Interest amount for Provident Fund of	Rs.6,64,385/-

with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.D.Sivaraman

**ORDER**

This Writ Petition is filed to direct the respondents to settle the interest for the belated payment of retiral benefits payable to the petitioner as follows:

Interest amount for Gratuity of	Rs.8,04,672/-
Interest amount for Earned leave of	Rs.1,23,880/-
Interest amount for Commutation of Pension	Rs.6,88,595/-
Interest amount for Provident Fund of	Rs.6,64,385/-

with 18% rate of interest 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 Checking Inspector in the respondent Transport Corporation and retired from service on 28.02.2019. His terminal benefits were settled on 31.08.2019, after delay of 6 months. 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 24.10.2019 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(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

gns



+1CC TO MR.N.SUNDHAGAR NAGARAJ, Advocate Sr. No.97648

+1CC TO MR.D.SIVARAMAN , Advocate Sr. No.97826

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 98668

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W.P. (MD) No.23776 of 2019
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