



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.24901 of 2019

- 1.R.Vetharathinam
- 2.G.Ramalingam
- 3.A.Arockia Sahayaraja
- 4.M.Thilak
- 5.C.Devaraju
- 6.R.Sembaraj
- 7.P.Andavar
- 8.A.Elangovan

... 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
- 3.The General Manager
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Periyamilaguparai
Trichy
- 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 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.C.Ramar
Additional Government Pleader

For R2 & R3 :Mr.D.Sivaraman

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ORDER

This writ petition is filed for a direction to the respondents to settle 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.C.Ramar, learned Additional Government Pleader takes notice for the first respondent and Mr.D.Sivaraman, learned counsel takes notice for the respondents 2 and 3. By consent of parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioners, they were joined the services of the 2nd and 3rd respondents Corporation on various dates. Lastly, they worked on various designations in the 2nd respondent Branch at Trichy Region. They were allowed to retire from service on various dates. The respondents 2 to 4 had settled the retiral benefits with a long delay on 31.08.2019 without interest. 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 24.10.2019 and the respondents have not passed any orders on the representation. Hence, the petitioners have come up with the present writ petition.

4. Heard the learned counsel appearing for the petitioners, the learned Additional Government Pleader appearing for the first respondent, 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 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.



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6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar ()

// 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-101353[F] 26/11/2019)
+1 CC to M/s.D. SIVARAMAN, Advocate (SR-101578[F] 26/11/2019)
+1 CC to M/s.Special Govt. Pleader (SR-101514[F] dated 26/11/2019)

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msa

SDS (17.12.2019) 3P 5C