



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.23881 of 2019

WEB COPY

S.Sivanantham

... Petitioner

-Vs-

1.The Management of
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Karaikudi Region, Represented by its General Manager,
Karaikudi.

2.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 pay interest at the rate of 18% per annum for the period of delay from 01.06.2018 to 20.09.2019, in paying the amounts paid towards the terminal benefits of the petitioner, namely, EPF Employees' Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondents : Mr.D.Sivaraman

ORDER

This Writ Petition is filed to direct the respondents to pay interest at the rate of 18% per annum for the period of delay from 01.06.2018 to 20.09.2019, in paying the amounts towards the terminal benefits of the petitioner, namely, EPF Employees' Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court.

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 appointed as Driver in the respondent Transport Corporation and retired from service on 31.05.2018 as Driving Instructor. His terminal benefits were settled on 20.09.2019, after delay of more than 15 months. The



grievance of the petitioner 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. He made representation to the respondents on 30.09.2019 and the respondents have 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)

Myr

To

1.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Karaikudi Region, Represented by its
Karaikudi.

2.The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvallurvar Illam, Anna Salai,
Chennai-2.

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-98606[F] dated 15/11/2019)

W.P. (MD)No.23881 of 2019

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