



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.24229 of 2019

WEB COPY

S.Mohan

... Petitioner

-Vs-

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Represented by its Managing Director,
Bye Pass Road, Kumbakonam-612 401.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Pudukkottai Region, Pudukkottai.

3.The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust, Thiruvalluvar Illam,
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 interest for the belated payment of the petitioner's terminal benefits including Gratuity, Terminal Leave Salary, Commuted Value of Pension and Provident Fund from the date of the petitioner's retirement to till the date on which the said benefits were settled to the petitioner.

For Petitioner: Mr.A.Rahul

For R1 and R2 : Mr.P.Balasubramanian

For R3 : Mr.A.Swaminathan

ORDER

This Writ Petition is filed to direct the respondents to settle interest for the belated payment of the petitioner's terminal benefits including Gratuity, Terminal Leave Salary, Commuted Value of Pension and Provident Fund from the date of the petitioner's retirement to till the date on which the said benefits were settled to the petitioner.

2.Mr.P.Balasubramanian, learned counsel takes notice on behalf of the respondents 1 and 2 and Mr.A.Swaminathan, learned counsel takes notice on behalf of the third 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 petitioner, he was appointed as Conductor in the respondent Transport Corporation and retired from service on 31.08.2018 as Special Grade Conductor. His terminal benefits were settled on 20.09.2019, after delay of more than 13 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 16.10.2019 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 March, 2020.

6. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

Sub Assistant Registrar(CS)

Myr

+1 CC to Mr.A.RAHUL, Advocate (SR-99073[F] dated 18/11/2019)
+1 CC to Mr.P. BALASUBRAMANIAN, Advocate (SR-99612[F] dated 20/11/2019)

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