



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 18.11.2019**

**CORAM:**

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

**W.P. (MD) No.24254 of 2019**

K.Lakshmanan

... Petitioner

-Vs-

1.The Management of  
State Express Transport  
Corporation (Tamil Nadu) Limited,  
Represented by its Managing Director,  
Pallavan Salai, Chennai-2.

2.The Administrator,  
Tamil Nadu State Transport Employees'  
Pension Fund Trust, Thiruvalluvar 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 01.02.2019 to 20.09.2019, in paying the amounts paid towards the terminal and pension benefits of the petitioner, namely, Gratuity, Encashment of Earned Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For R1 : Mr.P.Balasubramanian

For R2 : Mr.A.Swaminathan

**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 01.02.2019 to 20.09.2019, in paying the amounts towards the terminal and pensionary benefits of the petitioner, namely, Gratuity, Encashment of Earned Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court.

2.Mr.P.Balasubramanian, learned counsel takes notice on behalf of the first respondent and Mr.A.Swaminathan, learned counsel takes notice on behalf of the second 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 Junior Tradesman in the respondent Transport Corporation and retired from service on 31.01.2019 as Selection Grade Senior Grade Tradesman. His terminal benefits were settled on 20.09.2019, after delay of more than 8 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 March, 2020.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Myr

+1 CC to M/s.K. SATHIYA SINGH, Advocate ( SR-99727[F] dated 20/11/2019 )

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JMN(05.12.2019) 2P : 2C