



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

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

W.P.(MD) No.24474 of 2019

R.Poovalingam

... Petitioner

Vs.

1.The Management of

State Express Transport Corporation (Tamilnadu)Ltd.,
Rep.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 01.06.2018 to 20.09.2019, in paying the amounts towards the terminal and pension benefits of the petitioner namely Gratuity, Encashment of Earned/Sick Leaves and Commutated Value of Pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner: Mr.S.Arunachalam

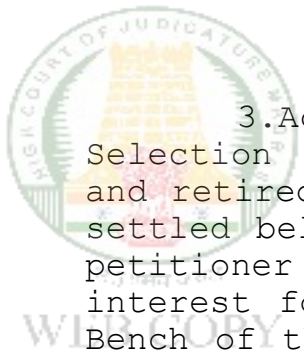
For R1 : Mr.K.Sathiyasingh

For R2 : 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, Encashment of Earned Leaves and Commutated Value of Pension from the date of the petitioner's retirement to till the date on which the said benefits were settled to him, within a time frame.

2.Mr.K.Sathiyasingh, 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 the 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 Senior Selection Grade Conductor in the respondent Transport Corporation and retired from service on 31.05.2018. His terminal benefits were settled belatedly, after delay of 15 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 30.09.2019 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 March, 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)

To

1. The Management of
State Express Transport Corporation (Tamilnadu) Ltd.,
Rep. 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.

+1 CC to M/s.K. SATHIYA SINGH, Advocate (SR-99744[F] 20/11/2019)

W.P. (MD) No. 24474 of 2019
20.11.2019

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