



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.24752 of 2019

P.Govindaraj

... Petitioner

-Vs-

The Management of
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Dindigul Region, Represented by its General Manager,
Dindigul. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay interest at the rate of 18% per annum, for the period of delay from 01.11.2018 to 21.09.2019, in paying the amounts paid towards the terminal benefits of the petitioner namely, EPF Employees' Contribution, Gratuity and Encashment of earned / sick leaves, within a time frame as may be fixed by this Court and without affecting the petitioner's right to claim balance amounts towards those benefits.

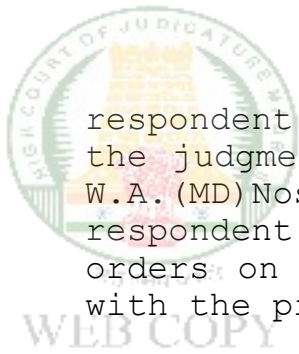
For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.J.Senthil Kumaraiah

ORDER

This Writ Petition is filed to direct the respondent to pay interest at the rate of 18% per annum, for the period of delay from 01.11.2018 to 21.09.2019, in paying the amounts towards the terminal benefits of the petitioner namely, EPF Employees' Contribution, Gratuity and Encashment of earned / sick leaves, within a time frame as may be fixed by this Court and without affecting the petitioner's right to claim balance amounts towards those benefits.

2.Mr.J.Senthil Kumaraiah, learned counsel takes notice on behalf of the 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 Tradesman on 12.12.1986 and retired from service on 31.10.2018, as Special Grade Tradesman, on attaining the age of superannuation. His terminal benefits were settled on 21.09.2019, after delay of more than 11 months. The grievance of the petitioner is that, the



respondent 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 respondent on 30.09.2019 and the respondent 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 respondent 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 respondent is 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. In the result, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

Myr

+1 CC to M/s. J. SENTHIL KUMARAI AH, Advocate (SR-101166[F] dated 26/11/2019)

W.P. (MD) No.24752 of 2019

22.11.2019

KG (CO)

TR(11.12.2019) 2P 2C