



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.24689 of 2019

M.S.Pitchaimani

... Petitioner

vs.

1.The Tamil Nadu State Transport

Corporation (Madurai) Ltd.,

Represented by its Managing Director,

Madurai.

2.The General Manager,

The Tamil Nadu State Transport Corporation (Madurai) Ltd.,

Madurai Region,

Madurai.

3.The Administrator,

The 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 at the rate of 6% per annum 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 him.

For Petitioner : Mr.A.Rahul

For R1 & R2 : Mr.J.Senthil Kumaraiah

For R3 : Mr.A.Swaminathan

ORDER

This writ petition is filed for a direction to the respondents to settle interest at the rate of 6% per annum 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 him.

2. Mr.J.Senthil Kumaraiah, learned counsel takes notice for the respondents 1 & 2 and Mr.A.Swaminathan, learned counsel for the third respondent. By consent of both parties,



the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he was appointed as 'Conductor' on 26.01.1993 and retired from service on 31.05.2018 as 'Special Grade Conductor' on attaining the age of superannuation. His terminal benefits were settled only on 21.09.2019. 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 07.11.2019 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 and 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 instalments on or before 10th day of every English Calendar month. The first instalment is to be paid on or before 10th day of March, 2020.

6. With the above direction on, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar(CS)

+1 CC to M/s.J. SENTHIL KUMARAI AH, Advocate (SR-101195[F] dated 26/11/2019)

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