



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.24906 of 2019

P.Sankaran

... Petitioner

vs.

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Represented by its Managing Director
Tirunelveli

2.The General Manager
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region
Tirunelveli

... 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 and provident fund from the date of the petitioner's retirement till the date on which the said benefits were settled to him.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathiya Singh

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 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.K.Sathiya Singh, learned counsel takes notice for the respondents. By consent of 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 Driver in the first respondent Transport Corporation on 13.05.1992 and retired from service on 28.02.2019 as Special Grade Driver on attaining the age of superannuation. His terminal benefits were settled on 21.09.2019 after delay of more than one year. 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 31.10.2019 and the respondents have not passed any orders on the representation. Hence, the petitioner has come up 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 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, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

msa

+1 CC to Mr.K. SATHIYA SINGH, Advocate (SR-100891[F] dated 25/11/2019)

+1 CC to Mr.A. RAHUL, Advocate (SR-101092[F] dated 25/11/2019)

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