



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.24959 of 2019

S.Neduncheran

... Petitioner

-Vs-

- 1.The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Represented by its Managing Director,
Bye Pass Road, Kumbakonam-612 401.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Nagapattinam Region, Nagapattinam.
- 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 the 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 the petitioner.

For Petitioner : Mr.A.Rahul
For R1 and R2 : Mr.D.Sivaraman
For R3 : Mr.A.Swaminathan

ORDER

This Writ Petition is filed to direct the respondents to settle the 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 the petitioner.

2.Mr.D.Sivaraman, learned counsel takes notice on behalf of the respondents 1 and 2 and Mr.A.Swaminathan, learned counsel takes notice on behalf of the third 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 Helper on 27.02.1986 and retired from service on 31.07.2018, as Special Grade Tradesman, on attaining the age of superannuation. His terminal benefits were settled on 20.09.2019, after delay of more than 16 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 03.10.2019 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. In the result, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar (CS)

Myr

+1 CC to M/s.A. RAHUL, Advocate (SR-101102[F] dated 25/11/2019)

+1 CC to M/s.D. SIVARAMAN, Advocate (SR-101602[F] dated 26/11/2019)

W.P. (MD) No.24959 of 2019

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