



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.24933 of 2019

WEB COPY

S.Chitra

... Petitioner

vs.

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

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

... 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 to the petitioner at 6% per annum for the belated payment of provident fund, gratuity and terminal leave salary from the date of her husband's retirement till the date on which the said benefit was settled to the petitioner.

For Petitioner : Mr.A.Rahul
For R1 & R2 : Mr.D.Sivaraman

ORDER

This writ petition is filed for a direction to the respondents to settle interest to the petitioner at 6% per annum for the belated payment of provident fund, gratuity and terminal leave salary from the date of her husband's retirement to till the date on which the said benefit was settled to the petitioner.

2. Mr.D.Sivaraman, learned counsel takes notice for the respondents 1 and 2. By consent of parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, her husband was appointed as Driver in the first respondent Transport Corporation on 09.05.1998 and retired from service on 30.04.2018 as Senior Driver on attaining the age of superannuation. Later the petitioner's husband passed away on 05.11.2018 His terminal benefits were settled in the year 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. She made representation to the respondents on 09.11.2019 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 1 and 2 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)

+1 CC to M/s.A. RAHUL, Advocate (SR-101106[F] dated 25/11/2019)
+1 CC to M/s.D. SIVARAMAN, Advocate (SR-101596[F] dated
26/11/2019)

msa

SMA/11/12/19/2P/3C

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