



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.25482 of 2019

K.Mathiyalagan

... Petitioner

vs.

1.The Managing Director

Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Corporate Office
Kumbakonam 612 001

2.The Administrator

Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust
Thiruvalluvar Illam
Anna 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 pay interest at the rate of 18% per annum, for the belated payment of retirement benefits including Provident Fund, Leave Salary enhancement and Commutation amount, within the time limit that may be fixed by this Court.

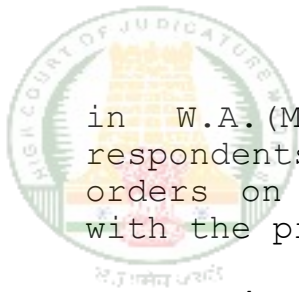
For Petitioner : Mr.D.Senthilkumar
For Respondents : Mr.D.Sivaraman

ORDER

This writ petition is filed for a direction to the respondents to pay interest at the rate of 18% per annum, for the belated payment of retirement benefits including Provident Fund, Leave Salary enhancement and Commutation amount, within a time frame as stipulated by this Court.

2. Mr.D.Sivaraman, 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 20.10.1989 and retired from service on 30.06.2018 as Driver on attaining the age of superannuation. His terminal benefits were settled on 20.09.2019 after delay. 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 30.10.2019 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 and 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-II)

// True Copy //

Sub Assistant Registrar(CS)

Msa

To

1.The Managing Director
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Corporate Office
Kumbakonam 612 001

2.The Administrator
Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust
Thiruvalluvar Illam
Anna Salai
Chennai - 2

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-102903[F] dated 02/12/2019)

+1 CC to Mr.D.SENTHIL KUMAR, Advocate (SR-102912[F] dated 02/12/2019)

W.P (MD)No.25482 of 2019

29.11.2019

VB(31.12.2019) 2P 5C