



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.26523 of 2019

WEB COPY

1. T.Thangavel
 2. C.Rajendran
 3. C.Jeyaraman
 4. V.Muralidharan
 5. N.Renganathan
- ...Petitioners

Vs

1. The Government of Tamil Nadu
Represented by its Secretary to Government
Transport Department
Secretariat
Chennai - 600 009
 2. The Managing Director
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Railway Station Road
Kumbakonam
Thanjavur District
 3. The General Manager
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Periyamilaguparai
Trichy
 4. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai - 600 002
- ...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 for the belated payment of retiral benefits payable to the petitioners with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioners	: Mr.N.Sudhagar Nagaraj
For Respondent	: For R1 - Mr.R.Sethuraman
	Special Government Pleader
	For R2 & R3 - Mr.D.Sivaraman
	For R4 - Mr.A.Swaminathan



O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

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2. The petitioners' retirement benefits were settled belatedly and in view of such belated settlement, the present writ petition has been filed seeking for interest on the belated payment of the terminal benefits.

3. It is brought to the notice of this Court that in an identical cases, a batch of writ petitions entertained by this Court and directions have been issued to the respondents to pay the interest at the rate of 6% on the belated payment of the terminal benefits. This Court does not intend to deviate from the said procedure.

4. The learned Counsel appearing for the respondent/Corporation would submit that in view of the financial burden cast on the respondent Corporation, they may be permitted to pay the interest on the belated payment in a liberal monthly installments.

5. I am not in agreement with the said representation made. There was already a duty cast on the respondent Corporation to pay the terminal benefits on the date of retirement itself and the very fact that the belated disbursement of retirement benefit, had already put the retired employee to serious prejudice, entertaining the present request for disbursement of the interest on the belated payment in installments, could cause further prejudice to the retired employee.

6. In the light of the above observations, there shall be a direction to the respondent /Corporation to pay the penal interest at the rate of 6% per annum on the belated payment of the retirement benefits for the period from the date of the retirement, till the date of actual disbursement, as expeditiously as possible and in any event, within a period of three months from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is ordered. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)



- vrn
To
1. The Government of Tamil Nadu
Represented by its Secretary to Government
Transport Department
Secretariat
Chennai - 600 009
 2. The Managing Director
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Railway Station Road
Kumbakonam
Thanjavur District
 3. The General Manager
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Periyamilaguparai
Trichy

+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate (SR-104947[F] dated 13/12/2019)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-105020[F] dated 13/12/2019)

+1 CC to M/s.SPL.GP (SR-105322[F] dated 17/12/2019)

W.P. (MD) No.26523 of 2019
13.12.2019

KK/SAR/06.01.2020/3P-7C/