



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.26544 of 2019

1. M. Panneerselvam
2. R.Rajendran
3. T.Sundaram

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
3. The General Manager
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Railway Station Road
Kumbakonam, Thanjavur District
4. The Administrator
Tamil Nadu State Transport Corporation Employee's
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 a time frame that may be fixed by this Court.

For Petitioners : Mr.N.Sudhagar Nagaraj
For Respondents : For R1 - Mr.M.Jeyakumar
Additional 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.

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 respondents/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 respondents /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, not before the expiry 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 (Crl.side)

// True Copy //

Sub Assistant Registrar(CS)

Vrn

+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate (SR-104948[F]
+1 CC to M/s.D.SIVARAMAN, Advocate (SR-105022[F] dated 13/12/2019)
+1 CC to M/s.SPL GP (SR-105104[F] dated 16/12/2019)
SMA/03/01/2020/2P/4C

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