



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.26569 of 2019

K.Gunasekeran

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai 625 010.
2. The Administrator,
The 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, to direct the respondents to pay interest at the rate of 6% per annum to the petitioner for the belated payment of Gratuity, Provident Fund, Pension Commutation and Leave Salary from the date of retirement to the date of actual payment.

For Petitioner : Mr.C.Thangamani
For Respondents : Mr.J.Senthilkumaraiah
Standing Counsel

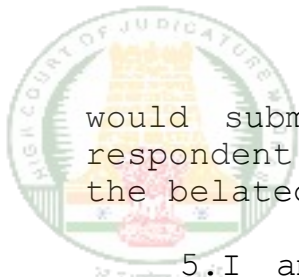
O R D E R

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

2.The petitioner's retirement benefits were settled belatedly on 21.09.2019 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 Standing Counsel appearing for the respondents



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 respondents 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 directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai 625 010.
2. The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

+1 CC to M/s.C.THANGAMANI, Advocate (SR-104877[F] dated 13/12/2019)
+1 CC to M/s.M/S.J.SENTHIL KUMARIAH, Advocate (SR-105134[F] dated 16/12/2019)

RMK

TE : 07/01/2020 : 2P/5C

W.P.(MD) No.26569 of 2019

13.12.2019