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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.26638 of 2019

K.Tamilmuni ... Petitioner

vs.

1) The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bye pass road, Madurai 625 010
2) 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 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

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

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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, 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 (Crl.side)

/True Copy/

Sub Assistant Registrar

To

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

+1 CC to M/s.M/S.C.THANGAMANI, Advocate (SR-105212[F] dated 16/12/2019)
+1 CC to M/s.J.SENTHI KUMARAIAH, Advocate (SR-105719[F] dated 18/12/2019)

STS
TE : 06/01/2020 : 2P/5C

Order made in
W.P.(MD) No.26638 of 2019
Dated:16.12.2019

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