



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2019

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

W.P.(MD) No.27110 of 2019

S.Muthukaruppan

... Petitioner

/vs./

1.The Managing Director,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region
27, New Railway Station Road,
Kumbakonam

2.The Administrator
Tamilnadu State Transport Corporation Pension Fund Trust.,
Thiruvalluvar Illam, 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 18% per annum, for the period of delay from 30.04.2014 to 02.01.2016 in paying the amounts paid towards the terminal benefits within a time frame as may be fixed by this Court.

For Petitioner	: Mr.G.M.Xavier
For R1	: Mr.P.Balasubramanian
For R2	:Mr.M.Karuppasamy
	Government Advocate

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 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 would submit that the petitioner retired from service in the year 2016. He has received the terminal benefits and now only he prayed for interest towards belated payments.

WEB COPY

5.I am not in agreement with the said representation made. Whether the petitioner has received the terminal benefits in the year 2016 or 2017 is not an issue, the fact reminds that the Corporation has to pay interest for the belated payment. 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 employees.

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 directions, this Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Msa

To

1.The Managing Director,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region
27, New Railway Station Road,
Kumbakonam



2.The Administrator
Tamilnadu State Transport Corporation Pension Fund Trust.,
Thiruvalluvar Illam, Pallavan Salai
Chennai 600 002

WEB COPY

+1 CC to Mr.G.M.XAVIER, Advocate (SR-106275[F] dated 20/12/2019)

+1 CC to Mr.P.BALASUBRAMANIAN, Advocate (SR-106408[F] dated 20/12/2019)

W.P. (MD) No.27110 of 2019
20.12.2019

VB(09.01.2020) 3P 5C