



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.529 of 2020

M.Vinayagam

: Petitioner

Vs

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Represented by its Managing Director
Kumbakonam
2. The General Manager
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Karaikudi Region
Karaikudi
3. The Administrator
The Tamil Nadu State Transport Corporation Pension Fund Trust
Thiruvalluvar Illam
Pallavan Salai
Chennai - 2

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to settle interest at the rate of 6% per annum for the belated payment of the petitioner's terminal benefits including Gratuity, Terminal Leave Salary, Commuted Value of Pension and Provident Fund from the date of his retirement till the date on which the said benefits were settled.

For Petitioner : Mr.A.Rahul
For Respondents : For R1 & R2 - Mr.D.Sivaraman
Standing Counsel
For R3 - Mr.A.Swaminathan
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 petitioners' retirement benefits were settled belatedly on 20.09.2019 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

<https://hcservices.ecourts.gov.in/hcservices/>



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 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 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 direction, this Writ Petition is ordered. No costs.

Sd/-

Assistant Registrar (CS-III)

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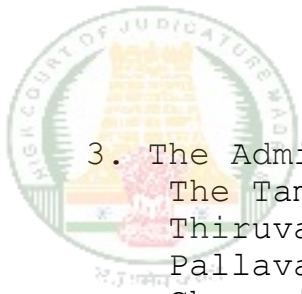
Sub Assistant Registrar(CS)

vrn

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Kumbakonam

2. The General Manager
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd
Karaikudi Region



3. The Administrator

The Tamil Nadu State Transport Corporation Pension Fund Trust
Thiruvalluvar Illam
Pallavan Salai
Chennai - 2

WEB COPY

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-1477[F] dated 10/01/2020)
+1 CC to Mr.A.SWAMINATHAN, Advocate (SR-1519[F] dated 10/01/2020)
+1 CC to Mr.A.RAHUL, Advocate (SR-1807[F] dated 13/01/2020)

W.P. (MD) No.529 of 2020

10.01.2020

MK (03.02.2020) 3P 7C