



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.1475 of 2020

G.Premraj

... Petitioner

vs.

The Management of Tamil Nadu State
Transport Corporation (Kumbakonam) Ltd.,
Pudukottai Region,
Rep by its Managing Director,
Pudukottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondent to settle and pay all the terminal benefits of the petitioner namely EPF Employees Contribution, Gratuity, Encashment of Earned Leaves, etc., forthwith together with 18% interest per annum within a time frame as may be fixed by this Court.

For Petitioner	:	Mr.S.Arunachalam
For Respondent	:	Mr.P.Balasubramanian 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.In view of the non-settlement of the retirement benefits after the petitioner had retired from his service with effect from 31.07.2019 onwards, the present writ petition has been filed, seeking for a direction to the respondent to settle the retirement monetary benefits together with interest at the rate of 18% per annum.

3.Today, when the matter was called, the learned Standing Counsel appearing for the Corporation would submit that the respondent is willing to settle the terminal benefits as and when the amount is sanctioned from the Government for which a proposal has already been sent by the Corporation. According to the learned Standing Counsel, the amount is likely to be sanctioned by the Government, probably within a period of four weeks.

4.The learned counsel for the petitioner would submit that in view of similar stands taken by the Corporation in other cases, the petitioner is willing to receive the retirement benefits in twelve equal installments along with interest.

5.In my view, the Corporation have expressed their financial crisis and therefore, if the interest amount claimed by the petitioner is reduced to 6% from 18%, the ends of justice could be secured.



6. Recording the submissions of the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the respondent, there shall be a direction to the respondent to disburse all the monetary retirement benefits to the petitioner in twelve (12) equated monthly installments. The first of such installment shall be paid atleast on or before 15.03.2020 and thereafter, the remaining Eleven (11) equated monthly installments shall be paid on fifteenth day of every consecutive months.

7. With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

cp

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-4842[F]

W.P. (MD) No.1475 of 2020

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