



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.2229 of 2020

WEB COPY

T.Nagasundaram

... Petitioner

vs.

1.The Principal Secretary to Government and
the Chairman of State Transport undertakings,
Government of Tamilnadu,
Transport Department,
Secretariat,
Fort St.George,
Chennai 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Corporate Office,
Byepass Road,
Madurai 625 010.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay 18% interest for the belated payment of retirement of terminal benefits amount of Rs.38,11,559/- till the date of realization, within the time stipulated by this Court.

For Petitioner	:	Mr.R.Saravanan
For R1	:	Mr.V.Anand
		Government Advocate
For R2	:	Mr.J.Senthilkumaraiah
		Standing Counsel

ORDER

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 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 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, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary to Government and
the Chairman of State Transport undertakings,
Government of Tamilnadu,
Transport Department,
Secretariat,
Fort St.George,
Chennai 600 009.



2.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Corporate Office,
Bypass Road,
Madurai 625 010.

+1 CC to M/s.R.SARAVANAN, Advocate (SR-4755[F] dated 05/02/2020)

+1 CC to M/s.J.SENTHIL KUMARAI AH, Advocate (SR-4844[F] dated
05/02/2020)

+1 CC to M/s.SPL GP (SR-5128[F] dated 06/02/2020)

W.P. (MD) No.2229 of 2020
05.02.2020

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