



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.5023 of 2020

WEB COPY

S.Selvaraj

... Petitioner

vs.

The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Pudukottai Region
Represented by its General Manager
Pudukottai

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondent to pay interest to the petitioner at the rate of 18% per annum for the period of delay from 01.05.2018 to 22.09.2019, in paying the amounts towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity and Encashment of earned leaves , within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.P.Balasubramanian

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 case of batch of writ petitions entertained by this Court, directions have been issued to the respondent 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 respondent Corporation 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, would already put the retired employee to serious prejudice. Entertaining the said 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 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 disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

To:-

1. The General Manager
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Pudukottai Region
Pudukottai.

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-10832[F] dated 10/03/2020)

W.P. (MD) No.5023 of 2020

10.03.2020

BUC (CO)

TR(20.03.2020)2P 3C

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