



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2020

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WEB COPY

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

W.P. (MD) No.5772 of 2020

M.Mahendran

... Petitioner

Vs.

1.The Management of State Express
Transport Corporation (Tamil Nadu) Limited,
Represented by its Managing Director,
Pallavan Salai, Chennai-2.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to settle interest at the rate 18% per annum for the belated payment of the petitioner's terminal benefit including Gratuity, Leave Salary and Commuted Value of Pension from the date of the petitioner's retirement to till the date on which the said benefits were settled to him.

For Petitioner	: Mr.A.Rahul
For R1	: Mr.M.Rajamohan

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 19.09.2019 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 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 Corporation would submit that in view of the financial burden cast on the respondents 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 respondents 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 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, 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 (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

To

1.The Management of State Express
Transport Corporation (Tamil Nadu) Limited,
Represented by its Managing Director,
Pallavan Salai, Chennai-2.

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

+1 CC to Mr.A.RAHUL, Advocate (SR-12725[F] dated 20/03/2020)
+1 CC to Mr.R.RAJAMOHAN, Advocate (SR-12742[F] dated 20/03/2020)

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