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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.14073 of 2021

G. Punithavathi

...Petitioner

Vs

M/s.Metropolitan Transport Corporation,
Rep. By its Managing Director,
No.1, Pallavan Salai, Chennai - 600 002.

...Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to settle a sum of Rs.65,928/- towards 6% interest for the belated payment of terminal benefits to the petitioner by considering the representation of the petitioner dated 30.06.2021.

For petitioner ... Mr.D.Soundar Raj

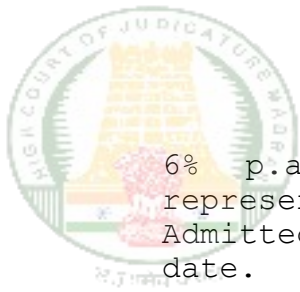
For respondent ... Mr. K.Moorthy
Standing counsel

ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2. This writ petition has been filed seeking for a Mandamus to the respondent / Transport Corporation directing them to pay interest, which works out to Rs.65,928/- calculated at 6% per annum for the belated payment i.e., a sum of Rs.10,76,914/- to the petitioner towards her retirement benefits viz., Provident Fund and Gratuity from the date of the petitioner's retirement i.e., on 30.06.2018 till the date of full settlement i.e. on 21.09.2019 by considering the petitioner's representation dated 30.06.2021, within a time frame to be fixed by this Court.

3. The case of the petitioner is that though her retirement benefits amounting to Rs.10,76,914/- was paid by the respondent / Transport Corporation but the same was paid belatedly and hence, she is entitled for interest at the rate of



6% p.a. for the delayed payment. She has given a representation on 30.06.2021 for the aforementioned purpose. Admittedly, the said representation has not been considered till date.

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4. Heard Mr.D.Soundar Raj, learned counsel for the petitioner and Mr.K.Moorthy, learned Standing Counsel accepts notice on behalf of the respondent / Transport Corporation.

5. No prejudice would be caused to the respondent, if the petitioner's representation, dated 30.06.2021 is considered on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the respondent to consider the petitioners' representation, dated 30.06.2021 seeking for payment of interest at the rate of 6% p.a. for the belated payment of Rs.10,76,914/- towards her retirement benefits by the respondent and pass final orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsi2

To

The Managing Director,
M/s.Metropolitan Transport Corporation,
No.1, Pallavan Salai, Chenani - 600 002.

+1 CC to Mr.D.Soundar Raj, Advocate, Sr. 31940

+1 CC to Mr.K.Moorthy, Advocate, Sr.32280.

W.P. No.14073 of 2021

SR(CO)
LS(03/08/2021)