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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.19566 of 2021

(Through Video Conferencing)

D.Soundar Raj

... Petitioner

Vs

1.M/s.State Express Transport Corporation Ltd.,
Represented by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002.

2.M/s.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Represented by its Administrator,
No.2, Pallavan Salai,
Chennai - 600 002.

3.M/s.State Express Transport Corporation Ltd.,
Represented by its Financial
Advisor cum Chief Accounts Officer,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second and third respondents herein to settle the balance terminal benefits, arrears of pension and interest for the belated settlement of terminal benefits amounting to Rs.13,93,251/- to the petitioner herein by considering the representation of the petitioner dated 15.02.2021.



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For Petitioner : Mr.K.A.Ravindran
For Respondents :
For R1 & R3 : Mr.L.S.M Hasan Fizal
Government Advocate
For R2 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

The petitioner claims that only some of the terminal benefits have been paid and that too such payments were paid belatedly. The petitioner submits that he is entitled to the balance terminal benefits together with interest on the delayed payments of terminal benefits.

2. Already orders have been passed to direct the respondents to pay interest at the rate of 4% in several cases. Considering the same, this Writ Petition is disposed by directing the respondents to consider the representation of the petitioner and release the balance terminal benefits, if any, due to the petitioner together with interest at 4% as ordered in W.P.No.506 of 2021 vide order dated 24.03.2021, where it has been held as under:-

“(i) Respondent/Transport Corporation is directed to pay interest @ 4% per annum to the Petitioner for the belated payment of gratuity, leave salary and communication of pension amount that are yet to be settled, in six equal monthly instalments, commencing 01.04.2021.

(ii) In case of delay in making instalments within the time stipulated supra, with reference to the judgment of the Division Bench of this Court (supra), interest payable for the period of delay shall be at 6% per annum.”

3. Such exercise shall be carried out by the respondents within a period of eight weeks from the date of receipt of this order. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar



arb/nst

To

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- 1.The Managing Director,
M/s.State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.
- 2.The Administrator,
M/s.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
No.2, Pallavan Salai,
Chennai - 600 002.
- 3.The Financial Advisor cum Chief Accounts Officer,
M/s.State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.

+1cc to M/s.K.Kathiresan, Advocate, S.R.No.46835

W.P.No.19566 of 2021

PL(CO)
SB(13/10/2021)