

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.02.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.32186 of 2018

K.Gopal

... Petitioner

--Vs.--

1.The Additional Chief Secretary,
Transport Department,
St.George's Fort,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vazhuthareddy Post,
Salamedu, Villupuram - 605 602.

3.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Kancheepuram - 631 501.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay interest for the belated payment of Gratuity interest at a rate of 9% p.a.

For Petitioner : Mr.P.Paramasiva Doss

For Respondents : Mr.R.S.Selvam (R1)

Mr.C.S.K.Sathish (R2 & R3)

ORDER

According to the petitioner, he joined as Assistant Supervisor in Thanthai Periyar Transport Corporation on 23.08.1980 and was subsequently, posted as Deputy Manager in the respondent Corporation. Due to personal reasons, he opted for voluntary cessation of employment on 30.06.2012. It is the grievance of the petitioner that though he was entitled to receive all the terminal benefits on the date of voluntary cessation of employment, he was settled with gratuity amount belatedly i.e., on 12.05.2015. Hence, claiming interest for the said belated payment, he made representations to the respondents. Since no action was taken on the same, the petitioner has come up with this writ petition seeking a direction to the respondents to pay interest for the belated payment of Gratuity at 9%p.a.

2.The learned counsel for the petitioner placed reliance on a decision of this court in W.P.Nos.194, 215, 229, 231, 234 and 236 of 2019 dated 08.01.2019, in which a direction was given to the respondents therein to pay interest at the rate of 6% p.a. on the belated payment of terminal benefits, in respect of similarly placed persons like that of the petitioner herein, referring to the order of this court in W.P.No.43667 of 2016, which was upheld by the Division Bench of this Court in W.A.No.665 of 2018. He has also produced a copy of the said order. Thus, the learned counsel sought to extend the same benefit to this petitioner as well.

3.On the other hand, the learned counsel for the respondents fairly submitted that the respondent authorities would consider the claim of the petitioner in the light of the order cited on the side of the petitioner, within a reasonable time to be fixed by this Court.

4.In view of the above, the respondents are directed to pass appropriate orders, with regard to the claim of the petitioner, seeking interest for the belated payment of terminal benefits, in the light of the order of this Court dated 08.01.2019 in WP.Nos.194 etc. batch (cited supra) within a period of four (4) weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

dsa

To

1.The Additional Chief Secretary,
Transport Department,
St.George's Fort,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vazhuthareddy Post, Salamedu, Villupuram - 605 602.

3.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region, Kancheepuram - 631 501.

+lcc to Mr.N.Desinghu, Advocate SR.No. 12643

W.P.No.32186 of 2018

ssd (CO)

A.SK(22.06.2021)