



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P. (MD)No.6875 of 2021

WEB COPY

A.Elango

... Petitioner

versus

1. The Managing Director,
Tamil Nadu State Transport
Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam - 612 001.

2. The General Manager,
Tamil Nadu State Transport
Corporation (KMB) Ltd.,
Karaikudi Region,
Managiri Post,
Maruthapathi, Karaikudi,
Sivagangai District.

3. The Administrator,
Tamilnadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Madamus, to direct the respondents to disburse interest at the rate of 6% for retirement benefits Commutation amount of Rs.4,75,768/-.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.P.Balasubramanian,
Standing Counsel for R1 and R2
Mr.A.Swaminathan,
Standing Counsel for R3.

ORDER

This writ petition has been filed seeking for the issuance of Writ of Madamus, to direct the respondents to disburse interest at the rate of 6% for retirement benefits Commutation amount of Rs.4,75,768/-.



2. It is the case of the petitioner that he was appointed in respondent Corporation and joined as Company Trainee on 27.10.1981 and thereafter, he retired from service as Selection Grade Tradesman on 31.07.2017. After his retirement, he received a sum of Rs.3,49,965/- as commutation amount and a sum of Rs.3,483/- was recovered from his pension for every month. On 04.01.2018, a settlement was arrived under Section 123 of Labour Act, in which, his salary has been revised. As per the revised salary, there was a difference in commutation amount to the tune of Rs.4,75,768/- and the same was disbursed only on 30.01.2021, i.e. after 42 months. For the belated payment, he was entitled for interest from year 2018 to 2021. Therefore, he made a representation on 15.02.2021 to the respondents, claiming interest on the belated payment of commutation amount. Since there was no response on the said representation, the petitioner has filed the present writ petition.

3. The learned counsel for the petitioner submits that it would suffice for the petitioner, if the respondents are directed to consider the representation dated 15.02.2021.

4. In view of the submission made by the learned counsel appearing for the petitioner, the writ petition is disposed of, directing the respondents to consider the representation of the petitioner dated 15.02.2021 and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam - 612 001.



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Tamilnadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2.

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-14239[F] dated
29/03/2021)

W.P. (MD)No.6875 of 2021

26.03.2021

(CO)
HB(24.04.2021) 3P 5C