



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.06.2021**

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)Nos.10710, 10713, 10716, 10718 & 10719 of 2021

WEB COPY

Murugan.M	... Petitioner in WP(MD). 10710 of 2021
Anbumani.A.P.C	... Petitioner in WP(MD). 10713 of 2021
Selvaraj.R	... Petitioner in WP(MD). 10716 of 2021
Balasubramanian.T	... Petitioner in WP(MD). 10718 of 2021
Aathinarayanan.B	... Petitioner in WP(MD). 10719 of 2021

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Bye-pass road, Madurai.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 02.

... Respondents in all WPs

Prayer in WP(MD). 10710 of 2021 :

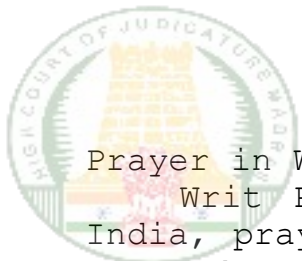
Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay the 6 percent interest on the delayed payment of retirement benefits paid to the petitioner in view of the Honble High Court orders and the petitioner's representation dated 08.06.2021.

Prayer in WP(MD). 10713 of 2021 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay the 6 percent interest on the delayed payment of retirement benefits paid to the petitioner in view of the Honble High Court orders and the petitioner's representation dated 30.04.2020.

Prayer in WP(MD). 10716 of 2021 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay the 6 percent interest on the delayed payment of retirement benefits paid to the petitioner in view of the Honble High Court orders and the petitioner's representation dated 02.06.2021.



Prayer in WP(MD). 10718 of 2021 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay the 6 percent interest on the delayed payment of retirement benefits paid to the petitioner in view of the Honble High Court orders and the petitioner's representation dated 02.06.2021.

Prayer in WP(MD). 10719 of 2021 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay the 6 percent interest on the delayed payment of retirement benefits paid to the petitioner in view of the Honble High Court orders and the petitioner's representation dated 09.06.2021.

For Petitioners : Mr.S.P. Vijay Nivas

For R1 : Mr.J.Senthil Kumaraiah
Standing Counsel

COMMON ORDER

The issue involved in these Writ Petitions are one and the same and therefore, these Writ Petitions are heard together and disposed of by way of this common order.

2.Mr.J.Senthil Kumariah, learned Standing Counsel takes notice for the first respondent.

3. By consent, these Writ Petitions are taken up for final disposal at the admission stage itself.

4.The petitioners' retirement benefits were settled belatedly and in view of such belated settlement, these writ petitions have been filed seeking for interest on the belated payment of the terminal benefits.

5. 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.

6.The learned Standing Counsel appearing for the first respondent 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.



7. 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.

8. 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 four months from the date of receipt of a copy of this order.

9. With the above directions, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note:(i) In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Managing Director,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Bye-pass road, Madurai.

2. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai - 02.

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29.06.2021

LS (CO)

TR(13.07.2021) 3P 3C

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