



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.10988 of 2021

WEB COPY

V.Chinnadurai

... Petitioner

vs.

1.The Management of Tamil Nadu,
State Transport Corporation (Madurai) Limited,
Rep. by its Managing Director,
Bye-Pass Road,
Madurai - 10.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Dindigul.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents herein to pay the interest to the petitioner at the rate of 12% per annum for the belated disbursement of Rs.25,64,315/- towards his retirement benefits, namely Provident Fund, Gratuity and Leave Salary from the date of his retirement ie., on 30.09.2019 upto the date of full settlement on 27.01.2021 by considering his representation, dated 21.06.2021.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.J.Senthil Kumariah
Standing Counsel

ORDER

Mr.J.Senthil Kumariah, learned Standing Counsel takes notice for the respondents.

2.By consent, the Writ Petition is taken up for final disposal at the admission stage itself.



3.The petitioner's retirement benefits were settled belatedly and in view of such belated settlement, this Writ Petition has been filed seeking for interest on the belated payment of the terminal benefits.

4.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.

5.The learned Standing Counsel appearing for the respondents 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.

6.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.

7.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.

8.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

