



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.11139 of 2021

P.Balasubramanian

... Petitioner

vs.

1.The Managing Director,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited, Corporate Office,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Regional office,
Trichy - 621 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to directing the respondents to pay the Retirement Benefit Scheme amount and also along with interest at the rate of 18% per annum for the belated payment of retirement benefits including Provident Fund, Leave Salary, Gratuity and Retirement Benefit Scheme Amount.

For Petitioner : Mr.D.Senthil Kumar

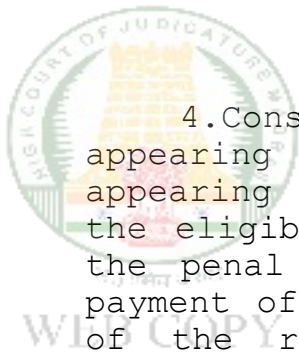
For Respondents : Mr.D.Sivaraman
Standing Counsel

ORDER

The petitioner has filed the present Writ Petition, to direct the respondents to pay the Retirement Benefit Scheme amount and also along with interest at the rate of 18% per annum for the belated payment of retirement benefits including Provident Fund, Leave Salary, Gratuity and Retirement Benefit Scheme Amount.

2.Since the petitioner, who is the retired employee of the Transport Corporation, claims to have not been paid Retirement Benefit Scheme amount and interest for the belated payment of retirement benefits including Provident Fund, Leave Salary, Gratuity and Commutation, the present writ petition has been filed seeking for a direction in that regard.

3.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.



4.Considering the submissions made by the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents, the respondents are directed to pay the eligible amounts of the retirement benefits scheme and to pay the penal interest at the rate of 6% per annum on the belated payment of Provident Fund, Leave Salary and Gratuity 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.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

Note :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,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited, Corporate Office,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Regional Office,
Trichy - 621 001.

+1 CC to M/s.D.SENTHIL KUMAR, Advocate (SR-21375[F] dated 06/07/2021)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-21385[F] dated 06/07/2021)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-23621[F] dated 23/07/2021)



+1 CC to M/s.D.SENTHILKUMAR, Advocate (SR-23614[F] dated 23/07/2021)

**W.P (MD) No.11139 of 2021
22.07.2021**

CM (CO)

LR (05.08.2021) 3P 7C