



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.13425 of 2021

C.Matchaikalai

... Petitioner

Vs.

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,
Mardhupathi, Managiri Post,
Karaikudi,
Sivagangai District.

3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pensions Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to disburse interest at the rate of 6% for retirement benefits Commutation amount of Rs.4,07,866/-.

For Petitioner : Mr.K.Gokul

For Respondents : Mr. D.Sivaraman

Standing Counsel - for R1 & R2

: Mr.A.Swaminathan - for R3

O R D E R

The petitioner has filed the present writ petition to direct the respondents to settle interest at the rate of 6 % per annum for the belated payment of his retirement benefits from the date of retirement till the date on which the said benefits were settled.

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

3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The petitioner was a driver in the first respondent transport corporation. The petitioner retired from service on 30.07.2017. The respondents have settled the retirement benefits to

the petitioner to the tune of Rs. 4,07,866/- on 20.01.2018.

5. According to the petitioner, the issues involved in the present writ petition are that the respondents had settled the aforesaid amount belatedly, after a delay of 5 months and the respondents have also not paid interest for the belated payment to the petitioner. Hence, the petitioner has made a representation to the concerned authorities to pay interest at the rate of 6 % per annum. The petitioner has also relied on the decision of the earlier writ petition of this court in **W.P.(MD)No.19950 of 2020 dated 04.01.2021, J. Gurumoorthy vs TNSTC (Kumbakonam) Ltd.** In the above referred judgement, this Court has fixed the rate of interest at 6 % per annum for the belated payment of retirement benefits. On the same line, orders to be passed in the present Writ Petition.

6. Mr. D.Sivaraman, Standing Counsel for Tamil Nadu State Transport Corporation (Kumbakonam) Ltd, would submit that the respondents had settled the retirement benefit to the petitioner belatedly. Therefore, the petitioner is entitled for the interest as decided in the earlier writ petition of this Court in W.P.(MD). No.19950 of 2021.

7. In the light of the above observations and with the consent of both parties, 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 direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CRL)

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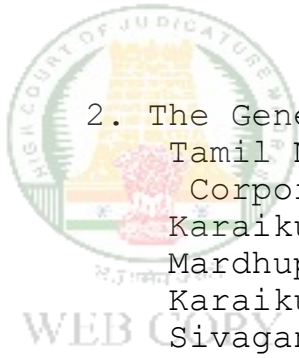
/ /2021

Sub Assistant Registrar(CS)

Mnr

To

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Tamil Nadu State Transport Corporation
(KMP) Ltd.,
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Thiruvalluvar Illam, Pallavan Salai,
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+1 CC to M/s.D.SIVARAMAN, Advocate (SR-25200[F] dated 04/08/2021)
W.P. (MD) .No.13425 of 2021
04.08.2021

MGJ(11.08.2021) 3P 5C