



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD) No.17174 of 2021

T.Solomon

... Petitioner

vs.

1.Tamil Nadu State Transport Corporation (Tirunelveli) Ltd,
Represented by its Managing Director,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd,
Tirunelveli Region,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to settle the interest at the rate of 6% per annum for the belated payment of petitioner's terminal benefits including Gratuity, Terminal Leave salary and Provident Fund from the date of his retirement to till date on which the said benefits were settled to him.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.R.Rajmohan

O R D E R

This Writ Petition is filed to direct the respondents to pay 6% interest for the belated payment of terminal and pension benefits of the petitioner, namely, Gratuity, Terminal Leave salary and Provident Fund from the date of his retirement to till date on which the said benefits were settled to him.

2.Heard Mr.A.Rahul, learned Counsel for the petitioner and Mr.R.Rajmohan, learned Standing Counsel for the respondents.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.The petitioner is a retired employee of the first respondent Transport Corporation. It is stated by the petitioner that he retired from service on attaining the age of superannuation. Though terminal benefits payable to petitioner was settled, it is stated that there is a long delay. Hence, the petitioner has come forward with the present Writ Petition claiming interest for the belated payment of retirement benefits.



5.This Court, in similar circumstances, has awarded interest for the belated payment of terminal benefits. It is also admitted that uniformly, this Court has fixed the rate of interest at 6% per annum for the belated payment of terminal benefits. The learned Standing Counsel appearing for the respondent Corporation submitted that the payment of interest may be directed to be settled to the petitioner in six equal monthly instalments commencing from 05th of November 2021.

6.In view of the above, this Writ Petition is disposed of with the direction to the first respondent to pay interest at the rate of 6% per annum for the belated payment of retirement benefits for the period from the date when the amount falls due till the date of actual disbursement. The respondents shall calculate the interest forthwith and disburse the entire amount payable in six equal monthly instalments commencing from 05.11.2021. The entire payment should be completed before 05.04.2022. If there is any further delay in payment of interest, the interest will be at 8% per annum and it is also open to the petitioner to approach this Court for higher rate of interest, in case, the dues are not settled within one year from this date. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr/tmg

To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd,
Tirunelveli Region,
Tirunelveli.

+1 CC to M/s.A.RAHUL, Advocate (SR-29946[F] dated 22/09/2021)

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-29949[F] dated 22/09/2021)

W.P. (MD) No.17174 of 2021

22.09.2021

MGJ(06.10.2021) 2P 5C