



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2021

CORAM

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

W.P.(MD)No.17507 of 2021

M.G.Paul Francis

... Petitioner

vs.

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Limited, represented by its Managing Director, Tirunelveli.

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

3.The Administrator, The Tamil Nadu State Transport Corporation Pension Fund Trust, Thiruvalluvar House, Pallavan Salai, Chennai - 600 002.

... 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 interest at the rate of 6% per annum for the belated payment of petitioner's terminal benefits including Gratuity, Terminal Leave Salary, Commuted Value of Pension and Provident Fund from the date of his retirement to till the date on which the said benefits were settled to him.

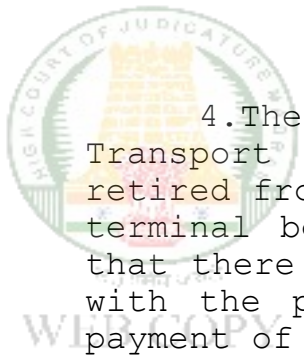
For Petitioner : Mr.A.Rahul
For Respondents : Mr.R.Rajmohan

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents to settle 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 the date on which the said benefits were settled to him.

2.Heard Mr.A.Rahul, learned Counsel for the petitioner and Mr.R.Rajamohan, 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 3rd 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 fell 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 03.11.2021. The entire payment should be completed before 03.04.2022. 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 (Ad-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tmg/cmr

TO

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

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



3.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

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+1 CC to M/s.A.RAHUL, Advocate (SR-30766[F] dated 30/09/2021)

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-30568[F] dated 28/09/2021)

W.P. (MD) No.17507 of 2021
28.09.2021

NSN (CO)
KB (12.10.2021) 3P 6C