



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2021

CORAM

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

W.P.(MD)No.17615 of 2021

S.Nagu

... Petitioner

vs.

1.The Managing Director ,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
TNSTC Head Office, No.27,
Railway Station New Road,
Kumbakonam-612 001.

2.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-02.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to pay the 6% interest on the delayed payment of retirement benefits paid to the petitioner in view of the petitioner's representation dated 31.10.2019.

For Petitioner : Mr.S.P.Vijay Nivas
For Respondents : Mr.P.Balasubramanian

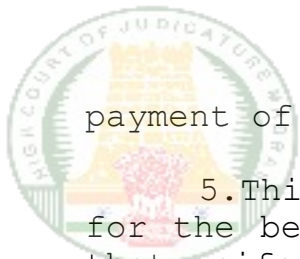
O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents to pay the interest on the delayed payment of retirement benefits paid to the petitioner in view of the petitioner's representation dated 31.10.2019.

2.Heard Mr.SP.Vijay Nivas, learned Counsel for the petitioner and Mr.P.Balasubramanian, 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 (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tmg/cmr

TO

- 1.The Managing Director ,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
TNSTC Head Office, No.27,
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- 2.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-02.



W.P.(MD)No.17615 of 2021

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-30809[F] dated
30/09/2021)

W.P. (MD) No.17615 of 2021
28.09.2021

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