



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.7885 of 2022

G.Narayanan

...Petitioner

vs.

The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
No.3/137, Salamedu, Valuthareddy Post,
Villupuram - 605 602.

...Respondent

Prayer:Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to pay the interest amount of Rs.76,748/- for delay Terminal Benefit payable to the petitioner (SR0937) based on petitioner's representation dated 03.02.2022 within a stipulated time.

For Petitioner : Mr.G.Peranban

For Respondent : Mr.G.Saravanakumar
Standing Counsel

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondent to pay the interest amount of Rs.76,748/- for delay Terminal Benefit payable to the petitioner (SR0937) based on the petitioner's representation dated 03.02.2022 within a stipulated time.

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

3.The petitioner worked under the respondent-Transport Corporation and retired from service on attaining the age of superannuation on 30.09.2011. The respondent has settled the terminal benefits to the petitioner belatedly.

4.According to the petitioner, the respondent has settled the terminal benefits belatedly and the respondent has also not paid interest for the said belated payment to the petitioner. Hence, the petitioner has made a representation dated 03.02.2022



to the respondent to pay the interest for the belated payment. The petitioner has also relied on the decision of the Hon'ble Division Bench of this Court in W.A.No.665 of 2018 dated 20.09.2018 wherein the Hon'ble Division Bench of 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.

5.The learned Standing Counsel appearing for respondent fairly accepted the fact that the respondent-Transport Corporation has settled the terminal benefits to the petitioner belatedly. He also submitted that the petitioner is entitled for interest only at the rate of 4% per annum for the belated payment.

6.In view of the above submissions and with the consent of both parties, there shall be a direction to the respondent to pay penal interest at the rate of 4% per annum for the belated payment of terminal benefits to the petitioner, within a period of four months from the date of receipt of a copy of this order, subject to the condition that if the petitioner has not already given up his right for claiming interest for the terminal benefits. It is also made clear that in default, the respondent-Transport Corporation shall have to pay the interest amount at the rate of 6% per annum to the petitioner.

7.With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

dm

To
The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
No.3/137, Salamedu, Valuthareddy Post,
Villupuram - 605 602.

+1cc to Mr.G.Saravana Kumar, Advocate, S.R.No.22103
+1cc to Mr.G.Peranban, Advocate, S.R.No.22644

W.P.No.7885 of 2022

GPL(CO)
RGA(18/04/2022)