



WEB COPY



W.P.No.14777 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.14777 of 2022
and WMP.No.13970 of 2022

S.K.Thiyagarajan .. Petitioner

vs.

The Managing Director,
Tamil Nadu State Express Transport
Corporation Ltd.,
Pallavan Salai, Chennai-600 002. .. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to pay the petitioner the sum of Rs.1,20,293/- towards interest on the commuted value of pension of Rs.1,56,870/- with interest @ 9% with effect from 01.06.2022 till the date of payment and award costs.

For Petitioner : Mr.S.Ayyathurai
For Respondents : Mr.R.Balaji
Standing Counsel

ORDER

The prayer in the Writ Petition is for a Mandamus directing the respondent to pay the petitioner the sum of Rs.1,20,293/- towards interest on the commuted value of pension of Rs.1,56,870/- with interest @ 9% with effect from 01.06.2022 till the date of payment and to award costs.



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2. The petitioner joined the service of the Tamil Nadu State Transport Department as Conductor during November 1968 and he retired from service on 31.08.2006, after rendering 38 years of service. The respondent paid monthly pension to the petitioner, but did not pay the commuted value of pension. Therefore, the petitioner filed W.P.No.29386 of 2008 and this Court vide order dated 21.08.2009 has allowed the writ petition and directed the respondent to pay commuted value of pension with interest @ 12% p.a. The petitioner also filed Cont.P.No.1752 of 2010 and vide order dated 22.03.2011, the respondent was directed to pay interest on the commuted value of pension. According to the petitioner, his repeated efforts to get the interest failed and lastly he submitted a representation dated 11.03.2021, but so far no reply has been received and hence, the present writ petition.

3. Heard the learned counsel for the parties and perused the materials on record.

4. Considering the limited scope of prayer sought for by the petitioner, this Court, without expressing anything on merits, directs the respondent to consider the petitioner's representation dated 11.03.2021 and pass appropriate



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orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order and if the petitioner is found eligible, the respondent shall pay interest @ 4% p.a.

5. The writ petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

06.07.2022

Index : Yes / No

Internet : Yes / No

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To

The Managing Director,

Tamil Nadu State Express Transport Corporation Ltd.,

Pallavan Salai, Chennai-600 002.



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D.KRISHNAKUMAR, J.

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