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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.18292 OF 2018

S.Tamilarasan

...Petitioner

-Vs-

M/s State Express Transport
Corporation (TN) Ltd.,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to settle the petitioner's arrears of pension amounting to Rs.7,51,985/- for the period from 16.05.2002 to 31.03.2016 with 6% interest by considering the petitioner's representation dated 09.07.2018.

For Petitioner : Mr.D.Soundar Raj
For Respondent : Mr.K.Moorthy

ORDER

Today, when the matter was called, the learned counsel for the petitioner submitted that, pending the writ petition, the respondent has settled the arrears of pension amount of Rs.7,51,985/- for the period from 16.05.2002 to 31.03.2016 and in this background, the petitioner claims interest on the belated payment made by the respondent.

2. In an identical issue, this Court has passed various orders, justifying the payment of interest to the aggrieved pensioners and in the order dated 13.12.2019 in W.P.(MD) No.26481 of 2019, the following order came to be passed.

"I am not in agreement with the said representation made. There was already a duty cast on the respondent Corporation to pay the terminal



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benefits on the date of retirement itself and the very fact that the belated disbursement of retirement benefit, had already put the retired employee to serious prejudice, entertaining the present request for disbursement of the interest on the belated payment in installments, could cause further prejudice to the retired employee.

6. In the light of the above observations, there shall be a direction to the respondent /Corporation to pay the penal interest at the rate of 6% per annum on the belated payment of the retirement benefits for the period from the date of the retirement, till the date of actual disbursement, as expeditiously as possible and in any event, not before the expiry of three months from the date of receipt of a copy of this order."

3.This Court is of the view that the respondent could be directed to pay the interest on the belated payment, at the rate of 6% per annum, as ordered in the above Writ Petition.

4. In this background, there shall be a direction to the respondent to pay the interest to the petitioner at the rate of 6% per annum on the belated payment of the retirement benefits, for the period from 16.05.2002 to 31.10.2016, within a period of three (3) months from the date of receipt of a copy of this order.

5. This Writ Petition stands allowed in accordance with the above terms. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

hvk

To:
The Managing Director,
M/s State Express Transport Corporation (TN) Ltd.,
No.2, Pallavan Salai, Chennai - 600 002.
+1cc to Mr.D.Soundar Raj, Advocate, S.R.No.5390
+1cc to Mr.K.Kathiresan, Advocate, S.R.No.5348

W.P.No.18292 of 2018

SS (CO)
RLP (09/02/2022)