



W.P.No.27998 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.27998 of 2022

P.Sekar,
Staff No.C 61619
(Special Grade Conductor-Retd.,)
S/o Prthasarathy
Door No.24, Krishna Street,
E.V.P.Rajeshwari Avenue,
Mugalivakkam, Porur,
Chennai – 600 125.

... Petitioner

Vs

1. The Government of Tamilnadu,
rep. by its Secretary to Government,
Transport Department,
Secretariat,
Chennai – 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Villupuram Division,
Villupuram.
3. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,



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Kancheepuram Region,
Kancheepuram.

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4. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to settle the interest for the belated payment of retirement benefits along with Gratuity, Earned Leave, Commutation of Pension, Provident Fund and other retirement benefits payable to the petitioner with 18% rate of interest within the time frame that may be stipulated by this Hon'ble Court.

For Petitioner	...	Mr.N.Sudhagar Nagaraj
For Respondents	...	Mr.Yogesh Kannadasan, Special Government Pleader for R1 Mr.L.S.N.Hasan Fizal, Additional Government Pleader for R2 and R3 Mr.C.S.K.Sathish, Standing Counsel for R4

ORDER

This writ petition has been filed for a Mandamus seeking for payment



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of interest for the belated payment of retirement benefits to the petitioner.

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2. The petitioner has given a representation on 16.09.2022 seeking for payment of interest for the belated payment of retirement benefits, which according to the petitioner was paid only on 23.01.2021, though he retired from service on 31.10.2019 itself. Since the representation has not been considered till date, he has filed this writ petition.

3. Heard the learned counsel for the petitioner, Mr.Yogesh Kannadasan, learned Special Government Pleader, accepts notice on behalf of the 1st respondent, Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader, accepts notice on behalf of the 2nd and 3rd respondents and Mr.C.S.K.Sathish, learned Standing Counsel, accepts notice on behalf of the 4th respondent.

4. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law. It is settled law as laid down by various decisions of this Court that in case of delayed payment of retirement benefits, the employee is entitled for 4% interest. While passing the final orders, the same may be considered by the respondents.



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5. For the forgoing reasons, this Court directs the respondents 2 to 4 to pass final orders on the petitioner's representation dated 16.09.2022 seeking for payment of interest for the belated payment of retirement benefits within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, the Writ Petition is disposed of. No costs.

28.10.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To

1. The Secretary to Government,
Government of Tamilnadu,
Transport Department, Secretariat,
Chennai – 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd., Villupuram Division,
Villupuram.



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3. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd., Kancheepuram Region,
Kancheepuram.

4. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.



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ABDUL QUDDHOSE, J.

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