



W.P.(MD) No.13699 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.13699 of 2022

K.Sureshkumar

... Petitioner

Vs.

**1.Tamil Nadu State Transport Corporation Ltd.,
Rep. by it's Managing Director,
Madurai Division,
Bye Pass Road,
Madurai – 625 016.**

**2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Dindigul Region,
Chettinayakkanpatti Post,
Dindigul – 624 005.**

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to settle the Terminal Benefits, payable to the petitioner such as P.F.Gratuity and Unavailed leave salary amount of Rs.23,54,822/- together with 6% interest from the date of his retirement i.e., 31.12.2020 (VRS) to till the date of payment and all other attendant benefits to him, within a stipulated period.



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For Petitioner : Mr.A.K.Thangavelu

For Respondents : Mr.S.Sivabalaji
Standing Counsel

ORDER

The petitioner's request for Voluntary Retirement from Service came to be accepted by the respondent Corporation through the proceedings, dated 31.12.2020 and he was permitted to go on Voluntary Retirement. Consequently, the petitioner herein would be entitled for all the retirement benefits. However, since the respondents had not disbursed the retirement benefits till date, the present writ petition came to be filed.

2. Admittedly, no criminal case or Disciplinary Proceedings are pending as against the petitioner herein. Furthermore, the respondents have accepted the petitioner's request for Voluntary Retirement and accordingly, permission has also been granted. As such, I do not find any impediment on the part of the respondents for disbursing the retirement benefits. Though an opportunity was given to the respondents to file a counter affidavit with regard to the petitioner's claim, no such counter affidavit has been filed till date.



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3. In view of the inordinate delay in disbursing the petitioner's retirement benefits, he would be entitled for interest on such belated payment.

4. In the light of the above observations, there shall be a direction to the respondents herein to forthwith disburse the petitioner's all retirement benefits, together with interest at the rate of 6% per annum from the date of his retirement i.e., 31.12.2020 till the date of actual disbursement. Such disbursement shall be made atleast within a period of two weeks from the date of receipt of a copy of this order.

5. This writ petition stands allowed. No costs.

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Index : Yes / No
Speaking Order/ Non Speaking Order

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M.S.RAMESH,J.

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