



W.P.(MD)No.15077 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.(MD)No.15077 of 2022

N.Narayanasamy

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) limited,
Bye-pass Road,
Madurai - 625 016.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region,
Bye-pass Road,
Dindigul - 624 004.

3. The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to settle the entire retirement benefits such as Gratuity, Pension, Employees Share of Provident Fund Contribution, Commutation of Pension, Employees Retirement Scheme Benefits Scheme along with belated payment interest at the rate of 18% per annum on the delayed payment of retirement benefits from the date of retirement on 31.12.2021 till the date of settlement.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.S.C.Herold Singh

ORDER

The relief sought for in the present Writ Petition is to direct the respondents to settle the entire retirement benefits, such as, Gratuity, Pension, Employees Share of Provident Fund Contribution, Commutation of Pension, Employees Retirement Scheme Benefits Scheme along with interest at the rate of 18% per annum on the delayed payment of retirement benefits from the date of retirement on 31.12.2021 till the date of settlement.



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2. The learned counsel for the petitioner submitted that the petitioner served as Senior Grade Tradesman and voluntarily retired from service on 31.12.2021. Till date, he is not yet paid the pensionary benefits. Therefore, this petition.

3. Mr.S.C.Herold Singh, learned counsel takes notice for the respondents and submits that the pensionary benefits due to the petitioner would be settled soon carrying interest at 6% per annum.

4. The learned counsel for the petitioner produced the order of this Court in W.A.(MD)Nos.383 to 457 of 2015, wherein it is observed that as per the judicial pronouncement of Hon'ble Supreme Court of India in ***D.D.Tewari (D) THR. LRS vs. Uttar Haryana Bijil Vitran Nigam Ltd & others*** reported in ***2014 (9) Scale - 78***, in case of any delay in making the payment of the instalments, the interest payable would become 18% per annum for the delayed period apart from any other remedy which may be available to the appellants for non-compliance of undertaking given to this Court.



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5. In view of the same, this Court directs the respondents to settle the pensionary benefits to the petitioner within a period of three months from the date of receipt of a copy of this order with 6% per annum.

6. With the above direction, this Writ Petition is disposed of. No costs.

13.07.2022

Index : Yes / No

Speaking Order : Yes / No

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G.CHANDRASEKHARAN, J.

vji

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