



W.P.(MD)No.29125 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.29125 of 2022

K.Masila Mani

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd,
Dindigul Region,
Dindigul.

2.The Administrator,
Tamilnadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-600002 .

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay interest at the rate of 6 percent per annum, for the period of delay from 30.09.2020 to 01.12.2022 in paying the amounts paid towards the terminal benefits within a time frame as may be fixed by this Court.



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For Petitioner	: Mr.G.M.Xavier
For R1	: Mr.S.Siva Balaji
For R2	: Mr.S.C.Herold Singh

ORDER

This writ petition has been filed for a direction to the respondents to pay interest at the rate of 6% per annum, for the period of delay from 30.09.2020 to 01.12.2022 in paying the amounts paid towards the terminal benefits within a time frame as may be fixed by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner joined as a Driver in the Tamil Nadu State Transport Corporation(Madurai) Limited in the year 1988. After completing 32 years of service, he retired from service in the year 2020. However, his terminal benefits were not settled in time and after a lapse of two years and three months, the terminal benefits were settled to the petitioner. Therefore, for the belated settlement, the petitioner made representation to pay interest. The same was not considered till date. Hence, the petitioner has filed this writ petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioner would submit that in similar circumstances, the Division Bench of this Court, passed several orders fixing 6% interest and accordingly, prayed for awarding 6% interest for the delayed payment.

4. The learned standing counsel appearing for the respondents would submit that due to Covid-19 pandemic, the Transport Corporation is not functioning smoothly and there was a huge loss and therefore, prayed for reducing the interest to 6% to 4% and prayed for appropriate orders.

5. Heard the learned counsel appearing for the petitioner and the learned Standing Counsels appearing for the respondents and perused the materials placed before this Court.

6. Admittedly, the petitioner retired from service on 30.09.2020. However, the terminal benefits were settled on 01.12.2022. On the earlier occasion, when the Transport Corporation not settled the



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retirement benefits to the employees, the Corporation borrowed amount from the State Government and settled the benefits. It is true that the Division Bench passed an order to award interest at 6% for the belated payment. However, considering the huge loss to suffered by the Transport Corporation, this Court is inclined to issue a direction to award 4% interest for the belated payments.

7. Therefore, the respondents are directed to pay interest at 4% per annum for the belated payment, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of.
No Costs.

23.12.2022

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Dindigul.
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M.DHANDAPANI,J.

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