



W.P.(MD).No.28672 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28672 of 2022

K.Chinna Durai

... Petitioner

vs.

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

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

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing 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.



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

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing 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.

2. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he was employed as a Conductor in the Tamil Nadu State Transport Corporation (Madurai) Limited from 20.11.1998 and retired from service as Selection Grade Conductor on 30.09.2020. However, the terminal benefits of the petitioner was settled only after two years and three months from the date of his retirement ie., on 01.12.2022. The respondent Corporation has not



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paid any amount towards interest. Hence, the petitioner has made a representation dated 07.12.2022, to the respondents, requesting them to pay interest amount towards the delayed payment of the terminal benefits. Since the said representation was not considered, the petitioner has filed the present writ petition.

4. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondents to pay applicable interest to the petitioner from the date of his retirement till the date of settlement.

5. The learned Standing counsel appearing for the Transport Corporation would submit that due to financial crisis of the Transport Corporation, they paid the terminal benefits belatedly and this Court may reduce the interest rate, since the petitioner claims 6% interest.

6. Admittedly, the petitioner was employed as a Conductor in the Tamil Nadu State Transport Corporation (Madurai) Limited from 1998



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and retired from service as Selection Grade Conductor on 30.09.2020, whereas the terminal benefits of the petitioner were settled only on 01.12.2022. Hence, he is entitled to receive a reasonable interest. Therefore, this Court directs the respondents to pay interest at the rate of 4% per annum to the petitioner for the period of delay from 30.09.2020 to 01.12.2022, towards the terminal benefits, within a period of twelve weeks from the date of receipt of a copy of this order.

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

21.12.2022

akv

To

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

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2.The Administrator,
Tamil Nadu State Transport Corporation
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M.DHANDAPANI,J.

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