



W.P.(MD)No.28772 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28772 of 2022

V.Krishnan

... Petitioner

Vs.

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

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

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of 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.



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For Petitioner : Mr.G.M.Xavier
For Respondents : Mr.Ramachandra Pradeep - for R1
Mr.S.C.Herold Singh - for R2

ORDER

This writ petition has been filed to direct 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. The learned counsel for the petitioner submitted that the petitioner joined as Driver in the Tamil Nadu State Transport Corporation (Madurai) Limited on 08.03.1999 and he rendered 21 years of unblemished service. Thereafter, he retired from service as Special Grade Driver on 30.09.2020. The petitioner was not paid with the terminal benefits immediately after retirement. However, the petitioner paid with terminal benefits only on 01.12.2022. Thereafter, the petitioner sent a representation, dated 07.12.2022 to the respondents, requesting to pay the interest amount towards the belated payment of the above said terminal benefits and the same was not considered. Hence, the present writ petition is filed.



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3. The learned counsel for the petitioner further submitted that the Division Bench of this Court passed a judgment in W.A.(MD) No.403 of 2010 dated 18.03.2014 and W.A.(MD) No.1419 of 2021 dated 26.07.2021 issued a direction to pay 6% interest to the belated payment. In the present case, the petitioner received the terminal benefits only after a period two year and three months and hence, he is entitled for appropriate orders.

4. The learned Standing Counsel appearing for the respondent Corporation submitted that this Court in similar type of writ petitions only awarded 4% interest for the belated payment of terminal benefits and hence, this Court may issue direction to pay interest at the rate of 4% per annum for the belated payment of terminal benefits.

5. In view of the above, the respondent Corporation is directed to pay 4% interest for the belated payment of terminal benefits within a period of six weeks from the date of receipt of a copy of this order.



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6. With the above direction, this writ petition is disposed of. No costs.

22.12.2022

Index : Yes / No

Speaking Order : Yes / No

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M.DHANDAPANI,J.

RM

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