



WEB COPY



W.P.No.19605 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.19605 of 2020

A. Albert Vijayakumar Amalraj

... Petitioner

Vs

1. The Secretary

Department of Transport,
Government of Tamil Nadu
Fort St.George,
Chennai 600 009.

2. The Managing Director

Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region, Villupuram.

3. The General Manager

Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Ponnerikarai Bangalore Highway
Kancheepuram Post & District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India

Page No.1 of 6



W.P.No.19605 of 2020

praying to issue a Writ of mandamus to direct the respondents to consider the representation dated 24.02.2020 to settle the interests at the rate of 18% per annum for a sum of Rs.20,48,161/- (Rupees Twenty Lakhs Forty Eight Thousand One Hundred and Sixty One Only) from the date of retirement to till the date of settlement to the petitioner.

For petitioner : Mr.P.Chandrasekaran

For respondent : Mrs.C.Meera Arumugam
Addl. Government Pleader for R1
Mr.M.Aswin
Standing Counsel for R2 & R3

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents to consider the representation dated 24.02.2020 to settle the interests at the rate of 18% per annum for a sum of Rs.20,48,161/- (Rupees Twenty Lakhs Forty Eight Thousand One Hundred and Sixty One Only) from the date of retirement to till the date of settlement to the petitioner.



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2. The learned counsel for the petitioner submitted that the petitioner was an employee of the respondent Transport Corporation and he retired from service on 31.05.2018 and his retirement benefits were settled only on 19.09.2019, after 15 months from the date of his retirement without any interest for a sum of Rs.20,48,161/-, hence he is entitled for the interest for belated payment and claims 18% interest per annum for the belated payment.

3. The learned Standing Counsel appearing for the 2nd and 3rd respondents submitted that 4% interest per annum may be ordered to the petitioner for the belated payment of the terminal benefits.

4. Heard both sides and perused the materials available on record.

5. Taking note of the fact that the terminal benefits were paid to the petitioner only after a delay of 15 months from the date of his retirement and for which he is entitled to claim interest for the belated payment, this Court is of the considered view that in the interest of justice 6% interest per annum is ordered to be paid by the third respondent. Though the petitioner claimed



W.P.No.19605 of 2020

18% interest per annum it is not possible for this Court to order 18% per annum. Accordingly, the third respondent is directed to pay 6% interest per annum for the belated payment of the terminal benefits from 31.05.2018 to 19.02.2019 within a period of six weeks from the date of receipt of a copy of this order and in the event of default, the interest payable will become 18% per annum. The 3rd respondent, apart from paying arrears of pension, shall also continue to pay the monthly pension amount to the petitioner in time without any default.

6. With the above direction and observation, the writ petition stands disposed of. No costs.

11.08.2023

Index: Yes/No

Speaking Order: Yes/No

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W.P.No.19605 of 2020

WEB COPY

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WEB COPY



W.P.No.19605 of 2020

J. SATHYA NARAYANA PRASAD, J.

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W.P.No.19605 of 2020

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