



WEB COPY



W.P.No.28423 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2023

CORAM:

THE HON'BLE Mrs.JUSTICE **V.BHAVANI SUBBAROYAN**

W.P.No.28423 of 2023

1. S.Ravi
2. K.Purushotham
3. S.D.Thirunavukkarasu
4. V.Ramalingam ... Petitioners

Vs.

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Annasalai, Chennai – 2

2. The Administrator,
Tamilnadu State Transport Corporation,
Employees Pension Fund Trust
No.2, Pallavan Salai, Chennai ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of terminal benefits such as gratuity provident fund, leave salary and commutation amount to the petitioners.

For Petitioners : Mr. S.T.Varadarajalu

For Respondents : Mr.R.Balaji for R1
Mr.C.S.Satheesh for R2
Standing Counsels

ORDER



W.P.No.28423 of 2023

Seeking for an issuance of a Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of terminal benefits such as gratuity provident fund, leave salary and commutation amount to the petitioners, the petitioners have come up with the present Writ Petition.

2. With consent on either side, the main Writ Petition itself is taken up for final disposal at the admission stage.

3. The brief facts of the case is that the petitioners joined the services of the respondents as Conductors and they have rendered nearly 25-33 years of continuous service. The petitioners retired during the year 2022. After retirement, the respondents had not settled the terminal benefits and the amount was settled on installment basis belatedly after a long time. The petitioners have sent representations to pay interest for the belated payment, however, till date the respondents neither replied nor settled the interest for the belated payment, hence this petition.

4. The learned counsel for the petitioner would submit that the Hon'ble Division Bench of this Court in W.A.No.665 of 2018 dated 28.03.2018 has ordered to pay interest for the belated payment, therefore, the representation was sent to the authorities, however, the same has not



W.P.No.28423 of 2023

been considered, thereby seeks a direction to the respondents to consider the same.

5. On the other hand, learned standing counsels appearing on behalf of the respondents submits that representation made by the petitioner will be considered strictly in accordance with law. Further, the petitioner has claimed interest at the rate of 10%, if the petitioner is found eligible appropriate orders will be passed fixing the interest prevailing as on date within a time to be fixed by this Court.

6. Taking into consideration of the facts and circumstances of the case and without going into the merits of the matter, there shall be a direction to the respondents to consider the representation made by the petitioner and to pay interest at the rate of 4% for the belated payment and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order, if there is no legal impediment.

In view of the above, the present Writ Petition is disposed of. No costs.

04.10.2023

Index:Yes/No; Internet:Yes/No
Speaking / Nonspeaking order

V.BHAVANI SUBBAROYAN J.



WEB COPY



W.P.No.28423 of 2023

ssd

To

1. The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Annasalai, Chennai – 2
2. The Administrator,
Tamilnadu State Transport Corporation,
Employees Pension Fund Trust
No.2, Pallavan Salai, Chennai

W.P.No.28423 of 2023

04.10.2023