

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6004 of 2023

C.Nagarajan

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Division,
Rep.by its Managing Director,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.

2.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Rep. By its General Manager,
Ranithottam, Nagercoil.

3.The Administrator,
Tamil Nadu State Transport Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to pay interest at the rate of 12% per annum for the period of delay from the petitioner's date of retirement (31.05.2019) to till the date of reimbursement (22.01.2021) of the amount paid towards the petitioner's terminal and pension

benefits namely EPF Employee's contribution, Gratuity and Encashment and Earned/Sic Leave and commutation value of pension and other monetary benefits within a time frame as may be fixed by this Court without affecting the petitioner's right to claim balance amount towards those benefits.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.D.Jebaraj
Standing Counsel for R1 & R2
: Mr.S.C.Herold Singh
Standing Counsel for R3

ORDER

Heard the learned counsel on either side.

2.The writ petitioner joined the respondent corporation as Driver in the year 1991. He retired from service on 31.05.2019. However, his terminal benefits were settled only on 22.01.2021.

3.It is well settled that for such belated settlement, the retired employee is entitled to interest. I, therefore, direct the respondent Corporation to pay the interest to the writ petitioner computed at the rate of 6% per annum on the belated disbursement from the date of retirement till date of settlement. The interest amount shall be paid within a period of twelve weeks from the date of receipt of a copy of this order.

4.This writ petition is allowed accordingly. No costs.

20.03.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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