



W.P.(MD).No.15709 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.15709 of 2023

P.Arivalagan

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Rep. by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Trichy – 620 001.

3. The Chief Financial Officer,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam – 612 001.

4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvallur House, Anna Salai,
Chennai – 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing he



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respondents to pay the retirement benefits scheme amount and voluntary retirement benefit amount and also along with interest at the rate of 18% per annum for the belated payment of retirement benefits including Provident Fund, Leave encashment and 1998 ML encashment Commutation, Voluntary Retirement Benefit amount and retirement benefit scheme amount within the time limit fixed by this Court.

For Petitioner : Mr.D.Senthilkumar

For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to pay the retirement benefits scheme amount and voluntary retirement benefit amount and also along with interest at the rate of 18% per annum for the belated payment of retirement benefits including Provident Fund, Leave encashment and 1998 ML encashment Commutation, Voluntary Retirement Benefit amount and retirement benefit scheme amount within the time limit fixed by this Court.

2.(i) The petitioner joined as a Driver in the respondent Corporation with effect from 20.12.1990. While he was in service as a Driver Level-5, he retired from service under voluntary retirement scheme on 30.06.2021.



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(ii) The respondents did not settle his retirement benefits immediately after his voluntary retirement. He has made several representations before the respondents in person and lastly submitted a representation on 02.06.2023.

(iii) Finally, acknowledging the same the retirement benefits to which the petitioner is entitled to was paid to him belatedly, but he was not paid with interest for the belated payment. The respondent also failed to settle the Voluntary Retirement Compensation Amount under the Special Scheme, which was brought into force vide G.O.(Ms)No.2010, Transport Department, dated 03.11.1987. Thereafter, on 10.02.1993, the compensation amount for the employees, who retired under the voluntary retirement scheme is enhanced from Rs.7,500/- to Rs.8,500/- per year. Thus, the petitioner is entitled to receive the said Voluntary Retirement Compensation in terms of the said G.O., which is also not yet paid. Hence, the writ petition came to be filed.



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3. Without going into merits of the case, this Court hereby directs the respondents to pay the Voluntary Retirement Compensation amount along with interest at the rate of 6% per annum for the belated payment of retirement benefits including Provident Fund, Leave encashment and 1998 ML encashment Commutation considering the petitioner's representation, dated 02.06.2023, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

**14.08.2023
(5/8)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

- 1.The Managing Director,
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Kumbakonam.
- 2.The General Manager,
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(Kumbakonam) Limited,
Trichy Region,
Trichy – 620 001.
3. The Chief Financial Officer,
The Tamil Nadu State Transport Corporation
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Kumbakonam.



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L.VICTORIA GOWRI, J.

ps

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