



W.P.(MD).No.16843 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.16843 of 2023

P.Thirumalai Nambi

... Petitioner

Vs.

1.The Management of State Express Transport
Corporation (Tamil Nadu) Ltd.,
Represented by its Managing Director,
Pallavan Salai,
Chennai-2.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.09.2022 to 30.05.2023, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commutated Value of Pension, within



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a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner : Mr.S.Arunachalam

For R1 : Mr.K.Senthil Kumar

For R2 : Mr.S.C.Herold Singh

ORDER

The present writ petition has been filed seeking direction to the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.09.2022 to 30.05.2023, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commutated Value of Pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

2. Heard the learned counsel on either side.

3. The petitioner was employed as Conductor in the respondent corporation on 04.08.1986 and he retired from service on 31.08.2022.



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4. It is admitted that his terminal benefits were not settled immediately but only belatedly. The only question that arises for consideration is as regards the rate of interest payable on the belated settlement.

5. The issue raised in this writ petition was already decided by this Court vide order, dated 07.03.2023 in ***W.P(MD)No.4866 of 2023 (C.Murugan Vs. The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd., & Another).***

6. In view of the above, this Writ Petition is disposed of by directing the respondent management to pay interest at the rate of 6% per annum for belated settlement of petitioner's terminal benefits. This shall be done within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

13.07.2023

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

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To

1.The Managing Director,
The Management of State Express Transport
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai-2.



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

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