



W.P.(MD).No.16632 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16632 of 2023

S.Manoharan

... Petitioner

Vs.

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

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

3.The Administrator,
The Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-02.

... 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 settle interest at the rate of 6% per annum for the belated payment of petitioner's terminal benefits including Provident Fund, Gratuity, Terminal



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Leave Salary and Commuted value of pension from the date of his retirement to till the date on which the said benefits were settled to him.

For Petitioner : Mr.A.Rahul
For R1 & 2 : Mr.Jegadeesh Balan
Standing Counsel
For R3 : Mr.S.C.Herold Singh

ORDER

The present writ petition has been filed seeking direction to the respondents to settle interest at the rate of 6% per annum for the belated payment of petitioner's terminal benefits including Provident Fund, Gratuity, Terminal Leave Salary and Commuted value of pension from the date of his retirement to till the date on which the said benefits were settled to him.

2. Heard the learned counsel on either side.

3. The petitioner was employed as Driver in the respondent corporation on 16.10.1989. He retired from service on 30.06.2022.



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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 allowed 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.

11.07.2023

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

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To

1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.



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2. The General Manager,
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Kumbakonam.
3. The Administrator,
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Employee's Pension Fund Trust,
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L.VICTORIA GOWRI, J.

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