



W.P.(MD).No.16726 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16726 of 2023

G.Rathinamani

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye-Pass Road, Madurai-16.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Virudhunagar Region,
Virudhunagar.

3.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan 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, directing the respondents to settle the belated payment interest at the rate of 18% per annum on the delayed payment of Terminal benefits such as Provident Fund, Gratuity, Leave Salary and Commutation in total approximately Rs.16 lakhs from the date of death of



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petitioner's husband A.Gnanasekaran on 31.12.2020 till the date of settlement on 06.12.2022.

For Petitioner : Mr.S.Govindan
For R-1 & R-2 : Mr.K.Ramaiah
Standing Counsel
For R-3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to settle the belated payment interest at the rate of 18% per annum on the delayed payment of Terminal Benefits, such as, Provident Fund, Gratuity, Leave Salary and Commutation in total approximately Rs.16 lakhs from the date of death of the petitioner's husband A.Gnanasekaran on 31.12.2020 till the date of settlement on 06.12.2022.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner's husband was employed in the respondent Corporation.
While in service, the petitioner's husband died on 31.12.2020.



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4. It is admitted that the petitioner's husband's 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 stands disposed of by directing the respondent Corporation to pay interest at the rate of 6% per annum for belated settlement of petitioner's husband'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. There shall be no order as to costs.

12.07.2023

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



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L.VICTORIA GOWRI, J.

BTR

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