



W.P.(MD).No.16922 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.16922 of 2023

M.Bovas

... Petitioner

Vs.

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

2.The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Represented by its General Manager,
Nagercoil Region,
Ranithotam, 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, directing the respondents to pay interest at the rate of 12% per annum, for the period of delay from the



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petitioner's date of retirement (31.07.2022) to till the date of reimbursement (31.05.2023) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned / Sick Leaves, Commuted Value of Pension and other monetary benefits etc., within a time frame as may be fixed by this Court, without affecting the petitioner's right to claim balance amounts towards those benefits.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.D.Jebaraj

ORDER

The present writ petition has been filed seeking direction to the respondents to pay interest at the rate of 12% per annum, for the period of delay from the petitioner's date of retirement (31.07.2022) to till the date of reimbursement (31.05.2023) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned / Sick Leaves, Commuted Value of Pension and other monetary benefits etc., within a time frame as may be fixed by this Court, without affecting the petitioner's right to claim balance amounts towards those benefits.



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2. Heard the learned counsel on either side.

3. The petitioner was employed as Driver in the respondent corporation on 15.10.1984 and he retired from service on 31.07.2022.

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.

13.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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- To
- 1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli Division,
Kattabomman Nagar, V.M.Chathiram,
Tirunelveli.
 - 2.The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Ranithotam, Nagercoil.
 - 3.The Administrator,
Tamil Nadu State Transport
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L.VICTORIA GOWRI, J.

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