



W.P.(MD).No.17880 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.17880 of 2023

G.Thangaraj

... Petitioner

Vs.

1.The Management of Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai Region,
Represented by its Managing Director,
Madurai.

2.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 the petitioner interest at the rate of 6% per annum, for the period of delay from 01.09.22 to 30.05.23, 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



W.P.(MD).No.17880 of 2023

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.S.Sivabalaji
Standing Counsel
For R2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to pay the petitioner interest at the rate of 6% per annum, for the period of delay from 01.09.22 to 30.05.23, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Earned / Sick Leaves and commuted 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 Driver by the respondent corporation on 08.07.1995. He retired from service on 31.08.2022.



W.P.(MD).No.17880 of 2023

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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.

26.07.2023

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

1.The Managing Director,
The Management of Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai Region,
Madurai.



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W.P.(MD).No.17880 of 2023

L.VICTORIA GOWRI, J.

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

W.P.(MD).No.17880 of 2023

26.07.2023