



W.P(MD)No.18640 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD).No.18640 of 2023

S.Viswanathan

...Petitioner

Vs.

1. The General Manager,
The Tamil Nadu State Transport Corporation
Thirunelveli Ltd.,
Thirunelveli.

2.The General Manager,
The Tamil Nadu State Transport Corporation
Thirunelveli Ltd.,
Ranithottam,
Nagercoil,
Kanyakumari District.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.

...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



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to pay the 6% interest for the belated payment of the petitioner retirement benefits i.e., Provident Fund, Gratuity, E.L and M.L Salary, Surrender Leave Salary and all other retirement benefits from the date of retirement to the actual date of payment of retirement benefits to the petitioner and pay the same to the petitioner within the time frame to be fixed by this Court.

For Petitioner : Mr.N.S. Ramakrishna Dass

For respondents 1 &2 : Mr.D. Jebaraj
Standing Counsel

For 3rd respondent : Mr. S.C. Herold Singh
Standing counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to pay the 6% interest for the belated payment of the petitioner retirement benefits i.e., Provident Fund, Gratuity, E.L and M.L Salary, Surrender Leave Salary and all other retirement benefits from the date of retirement to the actual date of payment of retirement benefits to the petitioner and pay the same to the petitioner within the time frame to be fixed by this Court.



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

3. The petitioner was employed as Special Conductor by the respondent Corporation and he retired from service on 31.05.2022.

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 stands disposed of by directing the respondent Corporation to pay interest at the rate of 6% per annum for belated settlement of petitioner's terminal benefits viz.



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Provident Fund, Gratuity, E.L and M.L Salary, Surrender Leave Salary and all other retirement 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.

02.08.2023

Index : Yes / No
Internet : Yes/ No
trp

To

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L.VICTORIA GOWRI, J.,

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