



W.P.(MD).No.19068 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.19068 of 2023

A.Samson Arockiaraj

... Petitioner

Vs.

**1. The Management of
State Express Transport Coporation (Tamil Nadu) Ltd.,
Rep. By its Managing Director,
Pallavan Salai,
Chennai – 2**

**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 interest at the rate of 18% per annum, for the period of dealy from 01.08.2022 to 30.05.2023 in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leave and commuted value of pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance towards those benefits.



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For Petitioner : Mr. S. Arunachalam

For Respondent No.1: Mr. S.Senthil Kumar
Standing Counsel

For respondent No.2 : Mr. S.C. Herold Singh

ORDER

The present writ petition has been filed seeking direction to the respondents to pay the interest at the rate of 18% per annum, for the period of dealy from 01.08.2022 to 30.05.2023 in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leave and commuted value of pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance towards those benefits.

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 by the respondent Corporation on 01.06.1989. He retired from service on 31.07.2022.



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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 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 including EPF Employee's Contribution, Gratuity and Encashment of leave and commuted value of pension. 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.

07.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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L.VICTORIA GOWRI, J.

trp

To

1. The Managing Director,
State Express Transport Coporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai – 2

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

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