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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24181 of 2023

A.K.Annadurai ...Petitioner

Vs.

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd,
Represented by its Managing Director,
Coimbatore. ...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.11.2021 to 13.03.2023, in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of Leaves and also for the period of delay from the date of surrender to 16.06.2023 in paying the amount paid towards the earned leaves already surrendered by him, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

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For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.K.Jagadeesh Balan
Standing Counsel

O R D E R

The present Writ Petition has been filed by a retired "Special Grade Driver" of the respondent Transport Corporation.

2. According to the learned counsel appearing for the writ petitioner he obtained voluntary retirement on 31.10.2021. However, his retirement benefits were settled on 13.03.2023 and 16.06.2023 respectively, after a period of more than one and half years. Hence, he had filed a writ petition seeking mandamus to direct the respondent herein to pay interest at the rate of 18% p.a., for the belated settlement of the terminal benefits.

3. It is clear from the documents annexed in the typed set of papers, that the terminal benefits have been settled only after more than one and half years from the date of retirement. Therefore, this Court is inclined to allow the writ petition to the extent that the respondent is directed to pay interest at the rate of 6% p.a. for the said belated period of one and half years. The

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interest amount shall be paid within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition stands allowed to the extent as stated above. There shall be no order as to costs.

06.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To
1. The Managing Director,
Tamil Nadu State Transport Corporation (Kovai) Ltd,
Coimbatore.

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