



W.P.(MD).No.19074 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.19074 of 2023

G.Nagalakshmi

... Petitioner

Vs.

The Management of
Tamil Nadu Transport Corporation (Kovai) Ltd.,
Rep. 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 respondents to pay the petitioner interest at the rate of 6% per annum, for the period of delay from 01.07.2021 to 26.05.2023 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 26.05.2023 in paying the amount paid towards the earned leaves already surrendered by her within a time frame as may be fixed by this Court and without affecting his right to claim balance towards those benefits.

For Petitioner : Mr. S. Arunachalam

For Respondent : Mr. Jebaraj
Standing Counsel



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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 01.07.2021 to 26.05.2023 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 26.05.2023 in paying the amount paid towards the earned leaves already surrendered by her 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 as Non ITI Helper by the respondent Corporation on 05.03.1998. He retired from service on 30.06.2022.

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.



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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 leaves and also for the period of delay from the date of surrender to 26.05.2023 in paying the amount paid towards the earned leaves already surrendered by her. 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

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

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