



W.P(MD)No.19031 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD).No.19031 of 2023

S. Kumaresan

...Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Thirunelveli) Limited,
23/2 Kattabomman Nagar,
Thirunelveli.

...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 interest at the rate of 6% per annum to the petitioner for the belated payment of Gratuity, Provident fund, leave salary and pension commutation from the date of retirement to the date of actual payment within a time frame as may be fixed by this Court.

For Petitioner : Mr.C.Thangamani

For Respondents : Mr.Jebaraj
Standing counsel



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ORDER

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The present writ petition has been filed seeking direction to the respondent to pay interest at the rate of 6% per annum to the petitioner for the belated payment of Gratuity, Provident fund, leave salary and pension commutation from the date of retirement to the date of actual payment within a time frame to be fixed by this Court.

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 Junior Tradesman by the respondent Corporation on 05.07.1983. He retired from service on 31.07.2022.

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 Gratuity, Provident fund, leave salary and pension commutation. 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

Index : Yes / No
Internet : Yes/ No
trp

To

The Managing Director,
Tamil Nadu State Transport Corporation
(Thirunelveli) Limited,
23/2 Kattabomman Nagar,
Thirunelveli.



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L.VICTORIA GOWRI, J.,

trp

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