



W.P.(MD).No.19023 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.19023 of 2023

S.Gladson Jose

... Petitioner

Vs.

1. The Tamil Nadu Transport Coporation (Tirunelveli) Ltd.,
Rep. By its Managing Director,
Tirunelveli Divsion,
Kattapomman Nagar,
V.M.Chathiram,
Tirunelveli.

2.The Tamil Nadu Transport Coporation (Tirunelveli) Ltd.,
Rep. By its General Manager,
Nagercoil Region,
Ranithottam, Nagercoil.

... 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 12% per annum, for the period of dealy from the petitioner's date of retirement 31.07.2022 to till the date of reimbursement 08.06.2023 of amount paid towards the petitioner's terminal and pension benefits namely EFP Employee's Contribution, Gratuity and Encashment of Earned / Sick leave and other monetary benefits etc., within a time frame as may be fixed by this Court without affecting the petitioner's right to claim balance amounts towards those benefits.



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For Petitioner : Mr.R.Murugan
For Respondents : Mr. Jebaraj
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to pay the interest at the rate of 12% per annum, for the period of delay from the petitioner's date of retirement 31.07.2022 to till the date of reimbursement 08.06.2023 of amount paid towards the petitioner's terminal and pension benefits namely EFP Employee's Contribution, Gratuity and Encashment of Earned / Sick leave and other monetary benefits etc., within a time frame as may be fixed by this Court without affecting the petitioner's right to claim balance amounts 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 Conductor by the respondent Corporation on 01.11.1996. 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. 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
trp



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L.VICTORIA GOWRI, J.

trp

To

1. The Managing Director,
The Tamil Nadu Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Division,
Kattapomman Nagar,
V.M.Chathiram,
Tirunelveli.

2. The General Manager,
The Tamil Nadu Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Ranithottam, Nagercoil.

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