



W.P(MD)No.19026 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD).No.19026 of 2023

A. Packiadhas

...Petitioner

Vs.

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

2. The Tamil Nadu State Transport Corporation (Tirunelvlei) 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 interest at the rate of 12% per annum, for the period of delay from
the petitioner's date of retirement 30.06.2022 to till the date of
reimbursement 31.05.2023 of amount paid towards the petitioner's terminal
benefits namely EPF Employee's Contribution, Gratuity and Encashment



W.P(MD)No.19026 of 2023

of Earned / Since 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.

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 interest at the rate of 12% per annum, for the period of delay from the petitioner's date of retirement 30.06.2022 to till the date of reimbursement 31.05.2023 of amount paid towards the petitioner's terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned / Since 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



W.P(MD)No.19026 of 2023

Corporation on 01.05.1989. He retired from service on 30.06.2022.

WEB COPY

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

Index : Yes / No
Internet : Yes/ No
trp



W.P(MD)No.19026 of 2023

WEB COPY

To

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

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



WEB COPY



W.P(MD)No.19026 of 2023

L.VICTORIA GOWRI, J.,

trp

W.P(MD).No.19026 of 2023

07.08.2023