



W.P.(MD).No.19241 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.19241 of 2023

R.Nallusamy

... Petitioner

Vs

1. The Tamil Nadu State Transport Corporation (Coimbatore) Limited,
Rep. by its Managing Director,
Coimbatore.
2. The General Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Limited,
Erode Region, Erode 638 001.
3. The Chief Financial Officer,
Tamil Nadu State Transport Corporation (Coimbatore) Limited,
Coimbatore.

... 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 voluntary Retirement Compensation Amount and also along with the interest at the rate of 18 % per annum for the belated payment of retirement benefits including Provident Fund, Earned Leave encashment, Gratuity Amount and within the time limit that may be fixed by this Court.



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For Petitioner : Mr.D.Sivaraman

For Respondents : Mr.K.Jegadeesh Balan
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to pay voluntary Retirement Compensation Amount and also along with the interest at the rate of 18 % per annum for the belated payment of retirement benefits including Provident Fund, Earned Leave encashment, Gratuity Amount and within the time limit that may 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. Perused the materials on record.

3.(i).The petitioner joined as a Driver in the first respondent Corporation with effect from 18.11.1986. While he was in service as a Special Grade Driver, he retired from service under voluntary retirement scheme on 31.10.2020 from the first respondent.



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(ii)The respondents did not settle his retirement benefits immediately after his voluntary retirement. He has made several representations before the respondents in person and lastly submitted a representation on 15.12.2022.

(iii)Finally, acknowledging the same the retirement benefits to which the petitioner is entitled to was paid to him belatedly, but he was not paid with interest for the belated payment. The respondent also failed to settle the Voluntary Retirement Compensation Amount under the Special Scheme, which was brought into force vide G.O.(Ms)No.2010, Transport Department, dated 03.11.1987. Thereafter, on 10.02.1993, the compensation amount for the employees, who retired under the voluntary retirement scheme is enhanced from Rs.7,500/- to Rs.8,500/- per year. Thus, the petitioner is entitled to receive the said Voluntary Retirement Compensation in terms of the said G.O., which is also not yet paid. Hence, the writ petition came to be filed.

4.Without going into merits of the case, this Court hereby direct the respondents to pay the Voluntary Retirement Compensation amount along with interest at the rate of 6% per annum, for the belated payment of retirement benefits including Gratuity, Provident Fund and Leave Encashment,



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considering the petitioner's representation, dated 15.12.2022, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

09.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Limited,
Coimbatore.
2. The General Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Limited,
Erode Region, Erode 638 001.
3. The Chief Financial Officer,
Tamil Nadu State Transport Corporation (Coimbatore) Limited,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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