



W.P.(MD).No.19244 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.19244 of 2023

P.Muniappan

... Petitioner

Vs

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Rep. by its Managing Director,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Trichy Region, Trichy 638 001.
3. The Chief Financial Officer,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam – 612 001.
4. The Administrator,
The Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House, Anna Salai,
Chennai-600 002.

... Respondents



W.P.(MD).No.19244 of 2023

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 benefit amount and also along with the interest at the rate of 18 % per annum for the belated payment of retirement benefits including Provident Fund, commutation and Vountary Retirement Benefit amount within the time limit that may be fixed by this Court.

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 benefit amount and also along with the interest at the rate of 18 % per annum for the belated payment of retirement benefits including Provident Fund, commutation and Vountary Retirement Benefit amount 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 19.02.1991. While he was in service as Driver



W.P.(MD).No.19244 of 2023

Level-V, he was retired from service under voluntary retirement scheme on 31.07.2022 from the first respondent.

(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 20.09.2022.

(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



W.P.(MD).No.19244 of 2023

with interest at the rate of 6% per annum, for the belated payment of retirement benefits including Provident Fund and commutation, considering the petitioner's representation, dated 20.09.2022, 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 (Kumbakonam) Limited,
Coimbatore.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Trichy Region, Trichy 638 001.
3. The Chief Financial Officer,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam – 612 001.
4. The Administrator,
The Tamil Nadu State Transport Corporation,



W.P.(MD).No.19244 of 2023

Employees Pension Fund Trust,
Thiruvalluvar House, Anna Salai, Chennai-600 002.

L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.19244 of 2023

09.08.2023