



W.P.(MD).No.19246 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.19246 of 2023

P.Ramasamy

... 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.

... 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 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 and Vountary Retirement Benefit amount within the time limit that may be fixed by this Court.



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For Petitioner : Mr.D.Sivaraman

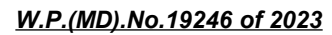
For Respondents : Mr.K.Jegadeesh Balan
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to pay voluntary Retirement 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, Leave encashment 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 Conductor in the first respondent Corporation with effect from 16.04.1991. While he was in service as Conductor Level-V, he was retired from service under voluntary retirement scheme on 31.05.2022 from the first respondent.



(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 Provident Fund and Leave encashment, , considering the



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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.



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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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09.08.2023