



W.P.(MD).No.20383 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.20383 of 2023

N.Vijayakumar

... Petitioner

Vs.

1.The Management of

Tamil Nadu State Express Transport Corporation Limited,
Represented by its General Manager,
Pallavan Salai, Chennai-2.

2.The Administrator,

Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.

... 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 (31.05.2022) to till the date of reimbursement (23.05.2023) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned / Sick Leave and Commutation Value of Pension, within a time frame as



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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 R-1 : Mr.K.Senthil Kumar
Standing Counsel
For R-2 : Mr.S.C.Herold Singh
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 (31.05.2022) to till the date of reimbursement (23.05.2023) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned / Sick Leave and Commutation Value of Pension, 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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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 Driver by the respondent Corporation on 06.07.1991. He voluntarily retired from service on 31.05.2022.

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 including EPF Employee's Contribution, Gratuity and Encashment of Earned / Sick Leave and Commutation Value of Pension. This shall be done within a period of twelve



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(12) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

22.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The General Manager,
The Management of
Tamil Nadu State Express Transport Corporation Limited,
Pallavan Salai, Chennai-2.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.



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L.VICTORIA GOWRI, J.

BTR

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