



W.P.(MD).No.20760 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.20760 of 2023

D.Victor Samuvel,

... Petitioner

Vs

1. The Management of State Express Transport Corporation
(Tamilnadu) Limited, Rep. by its Managing Director,
Pallavan Salai,
Chennai - 2.
2. The Administrator,
Tamil Nadu State Transport 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 the petitioner interest at the rate of 6 percent per annum, for the period of delay from 01.12.22 to 30.05.23, in paying the amounts paid towards his terminal and pension benefits namely EPF Employees Contribution, Gratuity, Encashment of Leaves and Commutated value of pension, within a time frame as may be fixed by this Court.



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For Petitioner : Mr.S.Arunachalam
For Respondents : Mr.K.Senthilkumar (R1)
Standing Counsel
Mr.S.C.Herold Singh (R2)
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to pay the petitioner interest at the rate of 6 percent per annum, for the period of delay from 01.12.22 to 30.05.23, in paying the amounts paid towards his terminal and pension benefits namely EPF Employees Contribution, Gratuity, Encashment of Leaves and Commuted value of pension, within a time frame as 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.

3. The petitioner was employed as Driver by the respondent Corporation on 24.04.1997. He retired from service on 30.11.2022.

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.



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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 namely EPF Employees Contribution, Gratuity, Encashment of Leaves and Commuted value of pension for the period from 01.12.2022 to 30.05.2023. 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.

25.08.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The Managing Director,
The Management of State Express Transport Corporation
(Tamilnadu) Limited, Pallavan Salai, Chennai - 2.

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



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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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