



W.P(MD)Nos.20881 to 20886 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.20885 of 2023

S. Sumathi

...Petitioner

Vs.

The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Rep by its General Manager,
Dindigul.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondent to pay the petitioner interest at the rate of 6 % per annum, for the period of delay 01.10.2022 to 30.05.2023, in paying the amounts paid towards his terminal benefits namely EPF Employees's Contribution, Gratuity and Encashment of leaves of her deceased husband/employee(Late) S.Subramani, Staff No.DR52009, within a time frame as may be fixed by this Hon'ble Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.S.Raja



W.P(MD)Nos.20881 to 20886 of 2023

ORDER

This Writ Petition has been filed seeking a writ of mandamus directing the respondent to pay interest at the rate of 6% per annum for the period of delay in paying the amount paid towards terminal benefits namely EPF, Gratuity and encashment of leave of the petitioner's husband within a time frame that may be fixed by this Court without affecting the right to claim the balance amount towards those benefits.

2. The deceased husband of the petitioner was appointed as Driver in the respondent Corporation on 08.04.1996 and he died on 30.09.2022. The learned counsel for the petitioner submits that the terminal benefits of the deceased husband of the petitioner was not settled immediately and there is an abnormal delay.

3. In view of the same, the only issue to be considered in this Writ Petition is with regard to interest payable on the belated



W.P(MD)Nos.20881 to 20886 of 2023

settlement. This issue was dealt with by this Court on various occasions and this Court passed orders in several Writ Petitions.

4. This Court in W.P(MD)No.4866 of 2023 (C.Murugan Vs. the Tamil Nadu State Transport Corporation (Tirunelveli) Ltd., and Another) by order dated 07.03.2023 has decided this issue.

5. Accordingly, by following the order stated supra, this Writ Petition is allowed with the following direction:

The respondent shall pay interest to the petitioner at the rate of 6% per annum on the belated payment of the retirement benefits commencing from the date of retirement, till date of actual disbursement, within a period of three months from the date of receipt of a copy of this order.

4. No costs.

28.08.2023

Index : Yes / No
NCC : Yes / No
CM



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WEB COPY

To,
The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Rep by its General Manager,
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WEB COPY



W.P(MD)Nos.20881 to 20886 of 2023

BATTU DEVANAND, J.

CM

W.P.(MD)No.20885 of 2023

28.08.2023