



W.P.(MD).No.21849 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.21849 of 2023

K.Gunasekaran

... Petitioner

Vs.

1.The Management of
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Represented by its General Manager,
Dindigul.

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's interest at the rate of 6% per annum, for the period of delay from 01.07.2022 to 30.05.2023, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity,



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Encashment of Leaves and Commutated Value of Pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner : Mr.S.Arunachalam

For R-1 : Mr.S.Raja
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 the petitioner's interest at the rate of 6% per annum, for the period of delay from 01.07.2022 to 30.05.2023, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Leaves and Commutated Value of Pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.



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2. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner was employed as Driver by the respondent Corporation on 28.12.1986. He retired from service as Driving Instructor on 30.06.2022.

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 Management to pay interest at the rate of 6% per annum for belated settlement of petitioner's terminal benefits including EPF Employee's



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Contribution, Gratuity, Encashment of Leaves and Commutated Value of Pension. 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.

08.09.2023

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

To

- 1.The General Manager,
The Management of
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Dindigul.
- 2.The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
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L.VICTORIA GOWRI, J.

BTR

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