



W.P.(MD).No.21719 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.21719 of 2023

V.Loganathan

... Petitioner

Vs

1. The Government of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department, Secretariat,
Chennai - 600 009.
2. The General Manager,
Tamil Nadu State Transport Corporation (Covai) Limited,
Erode Region, Erode.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (Covai) Limited,
Erode Region, Karur Branch,
Thirumanilayur,
Karur Town.
4. The Administrator,
The Tamil Nadu State Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

... Respondents



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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 settle the interest for the belated payment of retirement benefits, such as Gratuity, Earned Leave, Commutation of pension, Provident Fund and other retirement benefits payable to the petitioner with 6 percent rate of interest, within the time frame that may be stipulated by this Court.

For Petitioner : Mr. N.Sudhagar Nagaraj

For Respondents : Mr.M.Prakash(R1)
Additional Government Pleader

Mr.K.Ramaiah(R2)
Standing Counsel

Mr.K.Jagadeesh Balan (R3)
Standing Counsel

Mr.S.C.Herold Singh (R4)
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to settle the interest for the belated payment of retirement benefits, such as Gratuity, Earned Leave, Commutation of pension, Provident Fund and other retirement benefits, payable to the petitioner with 6 percent rate of interest, within the time frame that may be stipulated by this Court.



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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 07.09.1997. He retired from service on 31.10.2022.

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 Gratuity, Earned Leave, Commutation of pension, Provident Fund and other retirement



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benefits. 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.

07.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The Secretary to Government,
The Government of Tamil Nadu,
Transport Department, Secretariat,
Chennai - 600 009.
2. The General Manager,
Tamil Nadu State Transport Corporation (Covai) Limited,
Erode Region, Erode.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (Covai) Limited,
Erode Region, Karur Branch,
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Karur Town.
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.21719 of 2023

07.09.2023