

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.22232 of 2023

K.Muthulekshmi

... Petitioner

Vs

1. The Tamilnadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Division,
Represented by its Managing Director,
Kattapomman Nagar,
VM Chathiram,
Tirunelveli.
2. The Tamilnadu State Transport Corporation (Tirunelveli) Limited,
Nagercoil Region,
Represented by its General Manager,
Ranithottam,
Nagercoil.

... 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 percent per annum, for the period of delay from the petitioner's date of retirement (30.04.2020) to till the date of reimbursement (02.06.2021) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employees Contribution, Gratuity and Encashment of

Earned / Sick Leave and other monetary benefits etc., within a time frame as may be fixed by this Court, without affecting the petitioner's right to claim balance amount towards those benefits.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.D.Jebaraj
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the directing the respondents to pay interest at the rate of 12 percent per annum, for the period of delay from the petitioner's date of retirement (30.04.2020) to till the date of reimbursement (02.06.2021) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employees Contribution, Gratuity and Encashment of Earned / Sick Leave and other monetary benefits etc., within a time frame as may be fixed by this Court, without affecting the petitioner's right to claim balance amount towards those benefits.

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 Sweeper by the respondent Corporation on 02.09.1988. He retired from service on 30.04.2020.

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 and pension benefits namely EPF Employees Contribution, Gratuity and Encashment of Earned / Sick Leave and other monetary benefits etc., from 30.04.2020 to 02.06.2021, without affecting the petitioner's right to claim balance amount towards those 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.

12.09.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The Managing Director,
The Tamilnadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Division,
Kattapomman Nagar,
VM Chathiram,
Tirunelveli.
2. The General Manager,
The Tamilnadu State Transport Corporation (Tirunelveli) Limited,
Nagercoil Region,
Ranithottam,
Nagercoil.

L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.22232 of 2023

12.09.2023