



W.P.(MD).No.22249 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.22249 of 2023

V.Surendrakumar

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Managing Director,
Kumbakonam-612 001.

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region,
Pudukkottai District.

3.The Administrator,
The Tamil Nadu State Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai.

... 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 belated payment of Provident Fund of Rs.4,61,485/- Gratuity of Rs.9,61,820/- and pension



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arrears of Rs.2,69,592/- from the date of the petitioner's retirement to till the date on which the above terminal benefits were settled to the petitioner.

For Petitioner : Mr.A.Rahul
For R-1 & R-2 : Mr.K.Jegadeesh Balan
Standing Counsel
For R-3 : 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 belated payment of Provident Fund of Rs.4,61,485/- Gratuity of Rs.9,61,820/- and pension arrears of Rs.2,69,592/- from the date of the petitioner's retirement to till the date on which the above terminal benefits were settled to the petitioner.

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 Conductor by the respondent Corporation on 03.09.1983. He retired from service on 31.10.2018.



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4. It is admitted that the petitioner's 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. As far as Rs.50,000/- in Pension Arrears which is cited has yet to be settled in the tabulation of the affidavit of the petitioner, the same was deducted towards income tax payable by the petitioner. Hence, he is entitled only for 6% per annum for the belated payment of Provident Fund, Gratuity and Pension Arrears to a tune of Rs.4,61,485/-, Rs.9,61,820/- and Rs.2,69,592/- respectively. This shall be done within a period of twelve (12) weeks from the date of receipt of a copy of this order. This writ petition stands disposed of. There shall be no order as to costs.

13.09.2023



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

To

- 1.The Managing Director,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam-612 001.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region,
Pudukkottai District.
- 3.The Administrator,
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L.VICTORIA GOWRI, J.

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