



W.P.(MD).No.22446 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.22446 of 2023

S.Muthu

... Petitioner

Vs

1. XXX

2. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam, Thanjavur District.

3. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam, Thanjavur District.

4. The Administrator,
Tamil Nadu Transport Corporation Employees Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 2.

**R1 deleted as per order of this Court, dated 15.09.2023*

... Respondents



W.P.(MD).No.22446 of 2023

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.Sudhgar Nagaraj

For Respondents : Mr.N.Muthu Vijayan (R1)
Special Government Pleader

Mr.S.C.Herold Singh (R2 to R4)
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents 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.

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



W.P.(MD).No.22446 of 2023

WEB COPY

3. Since the relief sought for by the petitioner is not against the first respondent, Mr.N.Muthu Vijayan, learned Special Government Pleader, appearing for the first respondent prays this Court to delete the name of first respondent from the cause title. Hence, Registry is directed to remove the name of first respondent from the cause title.

4.The petitioner was employed as Driver by the respondent Corporation on 28.10.1989. He retired from service on 31.05.2022.

5.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.

6.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).***



W.P.(MD).No.22446 of 2023

WEB COPY

7. 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 such as Gratuity, Commutation of Pension, Provident Fund and other retirement benefits payable to the petitioner with 6 percent rate of interest. 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.

15.09.2023

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

**Note: Registry is directed to issue order copy,
after making necessary amendment in the cause title.**

PNM

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam, Thanjavur District.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam, Thanjavur District.
3. The Administrator,
Tamil Nadu Transport Corporation Employees Pension Trust,
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W.P.(MD).No.22446 of 2023

L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.22446 of 2023

15.09.2023