



W.P.(MD).No.22965 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.22965 of 2023

D.Chithra

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam,
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam Region, Kumbakonam.

... 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 settle interest at the rate of 6 percentage per annum for the belated payment of terminal benefits of the petitioner's husband Late U.Duraisamy including Provident Fund, Gratuity, Leave Salary, Exgratia, PRBS and CESS from the date of his death to till the date on which the said benefits were settled to her.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Ramaiah(R1, R2)
Standing Counsel



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ORDER

The present writ petition has been filed seeking a direction to the respondents to settle interest at the rate of 6 percentage per annum for the belated payment of terminal benefits of the petitioner's husband Late U.Duraisamy including Provident Fund, Gratuity, Leave Salary, Exgratia, PRBS and CESS from the date of his death to till the date on which the said benefits were settled to her.

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 Driving Instructor by the respondent Corporation and while in service, he died on 24.09.2021.

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.



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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 husband's terminal benefits **including** Provident Fund, Gratuity, Leave Salary, Exgratia, PRBS and CESS from the date of her husband's death to till the date on which the said benefits were settled to her. 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.

21.09.2023

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



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1. The Managing Director,
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Kumbakonam,
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.22965 of 2023

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