



W.P.(MD).No.23592 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.23592 of 2023

S.Nallasivan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli,
Tirunelveli District.

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
K.T.C Nagar,
Tirunelveli Region,
Tirunelveli.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
Thiruvalluvar House,
Pallavan Illam,
Chennai-600 002.

... 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 the interest for the belated payment of retirement benefits such as



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Gratuity, Surrender Leave, Provident Fund and other retirement benefits payable to the petitioner with 6% rate of interest.

For Petitioner : Mr.N.Sudhagar Nagaraj

For R-1 & R-2 : Mr.K.Ramaiah
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 settle the interest for the belated payment of retirement benefits such as Gratuity, Surrender Leave, Provident Fund and other retirement benefits payable to the petitioner with 6% rate of interest.

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 in the respondent Corporation on 01.08.1986. He retired from service on 30.11.2022.



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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. 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, Surrender Leave, Provident Fund and other retirement 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.

27.09.2023

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



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L.VICTORIA GOWRI, J.

BTR

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