



W.P.(MD).No.23547 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.23547 of 2023

K.Gunasekaran

... Petitioner

Vs.

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

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

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-02.

... 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% per annum for the belated payment of petitioner's terminal benefits including Provident Fund, Gratuity and Terminal



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Leave Salary from the date of his retirement i.e., from 31.01.2020 to 02.06.2021, the date on which the said benefits were settled to him.

For Petitioner : Mr.A.Rahul
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 interest at the rate of 6% per annum for the belated payment of petitioner's terminal benefits including Provident Fund, Gratuity and Terminal Leave Salary from the date of his retirement (i.e.,) from 31.01.2020 to 02.06.2021, the date on which the said benefits were settled to him.

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 Driver by the respondent Corporation on 10.06.1998. He retired from service on 31.01.2020.



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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 Provident Fund, Gratuity and Terminal Leave Salary from the date of his retirement (i.e.,) from 31.01.2020 to 02.06.2021. 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.

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

To

- 1.The Managing Director,
The Tamil Nadu State Transport Corporation
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Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam.
- 3.The Administrator,
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Employees Pension Fund Trust,
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L.VICTORIA GOWRI, J.

BTR

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