



W.P(MD)No.25336 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.11.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25336 of 2023

A.Murugesan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye-Pass Road,
Madurai-16.

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

3.The Administrator,
Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.

... 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 belated payment interest at the rate of 9% per annum on the belated payment of pension arrears Rs.8,35,002/- from the



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date of retirement on 05.07.2003 till the date of settlement on 16.03.2019 in the light of the Division Bench Judgment of this High Court Reported in (2018) 1 MLJ, dated 20.10.2017 and the order of this High Court in W.P.(MD).No.9273 of 2019, dated 07.07.2023 filed by Co-Employee Rajeswaran.

For Petitioner : Mr.S.Govindan

For R1 & R2 : Mr.S.Raja
Standing Counsel

For R3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed by a retired Driver of the respondent Corporation who was relieved on Voluntary Retirement Scheme on 05.07.2003 seeking interest for the belated payment of the terminal benefits.

2. According to the learned counsel appearing for the writ petitioner, the petitioner has gone on Voluntary Retirement Scheme on 05.07.2003 and his terminal benefits were settled only on 16.03.2019 after the SLP filed by the management was dismissed by the Hon'ble Supreme Court.



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3. It could be seen from the records that the writ petitioner approached this Court by filing W.P(MD)No.106 of 2013 seeking disbursal of terminal benefits. The said writ petition was allowed on 02.03.2015. The management has chosen to file W.A(MD)No.856 of 2017, which was dismissed on 04.07.2017. Not been satisfied, the management had filed SLP before the Hon'ble Supreme Court, which was dismissed on 19.02.2018. Thereafter, the management has taken one year time and settled the terminal benefits only on 16.03.2019.

4. The trajectory of events narrated above will clearly indicate that the management has taken its own time to settle the terminal benefits. That apart, the petitioner has chosen to approach this Court only after a period of 10 years from the date on which he has gone on Voluntary Retirement Scheme. Therefore, this Court is not inclined to grant interest for the period between 2003-2013. The above said writ petition has been allowed directing the management to disburse the terminal benefits on 02.03.2015. Therefore, this Court is of the view that the management shall be directed to pay interest at the rate of 6% from 01.04.2015 onwards.



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5. In view of the above said discussion, the respondents are directed to pay 6% interest from 01.04.2015 till 15.03.2019 for the terminal benefits that were belatedly disbursed to the writ petitioner. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of copy of this order.

6. With the above said observations, this Writ Petition stands disposed of. No costs.

08.11.2023

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

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To

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R.VIJAYAKUMAR,J.

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Order made in
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