



W.P(MD)No.28883 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.12.2023**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28883 of 2023

G.Veerappan

... Petitioner

Vs.

1.The Managing Director,
The Tamil Nadu State Transport
Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam-612 001.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (KMB) Ltd.,
Pudukkottai Region,
Pillai Thanneer Panthal,
Pudukkottai-622 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direct the respondents to disburse interest at the rate of 6% for the belated payment of retirement benefits provident fund, gratuity and leave salary based on the petitioner's representation dated 19.07.2023.

For Petitioner : Mr.K.Gokul



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For Respondents : Mr.K.Jagadees Balan
Standing Counsel

ORDER

The present writ petition has been filed by a Junior Engineer of the respondent Transport Corporation who attained superannuation on 31.08.2018 seeking interest for the belated disbursement of his terminal benefits.

2. According to the learned counsel appearing for the writ petitioner, the petitioner had earlier filed W.P(MD)No.178 of 2019 seeking disbursement of the terminal benefits along with interest. The said writ petition was allowed on 04.01.2019 with a direction to the respondent Transport Corporation to disburse the terminal benefits with 6% interest. After the orders of this Court in W.P(MD)No.178 of 2019, the terminal benefits were disbursed only on 10.01.2020. Hence, the present writ petition.

3. The order passed by this Court in W.P(MD)No.178 of 2019, dated 04.01.2019 Paragraph No.7 is extracted as follows:



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7.The learned Standing Counsel appearing for the respondents would point out that this Court has given relief to the similarly placed person in W.P.(MD)No.24572 of 2018 and directed the respondents to pay the amounts, which are in arrears to be paid to the petitioner in twelve equal monthly installments. Therefore, these petitioners are also entitled for the same relief.

“(i)A direction is issued to the transport corporation to settle the terminal benefits of the petitioners that are yet to be settled, in twelve equal monthly installments.

(ii)The first installment shall commence by making payment on or before the 10 th February, 2019 and the amount in each of the remaining installments shall be paid on or before 10 th of every succeeding month;

(iii)The said terminal amount shall carry interest at the rate of 6% per annum, as per the Division Bench Judgment in W.A.(MD)Nos.383 to 457 of 2015, dated 12.06.2015. In case of delay in making installments, the interest payable could be 18% for the delayed period;

(iv)The aforesaid direction to settle the terminal benefits would not preclude the workman to question the computation of any of the terminal benefits, if the same is paid lesser than the amount to which, they are entitled to receive. Likewise, if the petitioners have any grievance that they are entitled to interest for the amount already settled, they can agitate the same as per law, if they are entitled.”



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4. In view of the orders of this Court, there shall be a direction to the respondents herein to comply with the above said order in letter and spirit within a period of twelve (12) weeks from the date of receipt of copy of this order.

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

07.12.2023

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

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To

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The Tamil Nadu State Transport
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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.28883 of 2023

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