



WEB COPY



W.P.No.33195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33195 of 2024

M. Ganesan

...Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Thiruvannamalai Region,
Vengikkal Bye Pass Road,
Tiruvannamalai 606 601.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay interest to the petitioner at the rate of 8% per annum for the belated payment of his difference in commutation amount within a time limit to



W.P.No.33195 of 2024

be stipulated by this Court.

For Petitioner : Mr. J. Lakshminarayanan

For Respondents : Mr. R. Venkatesa Perumal – R1 & R2
Mr. C.S.K.Sathish for R3

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner has filed this writ petition to issue a direction directing the respondents to pay interest to the petitioner at the rate of 8% per annum for the belated payment of his difference in commutation amount within a time limit to be stipulated by this Court.

3. The case of the petitioner is that he is a retired employee from the Respondent/Corporation on 31.12.2016. The grievance of the petitioner is that though he got retired from service on 31.12.2016, the respondents have settled the surrender leave salary, gratuity and difference of commutation with a delay of 1126 days and in view of the



W.P.No.33195 of 2024

WEB COPY

aforesaid delay, the respondents are legally bound to pay interest to the petitioner. Hence, he submitted a representation on 27.07.2024 requesting the respondents to pay the interest at the rate of 8% per annum for the belated payment of the difference in commutation amount, but till date, there is no response from the respondents. Hence, the petitioner has filed this writ petition seeking to pay the interest for the belated payment of retirement benefits.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondents submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders of this Court.

6. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the



W.P.No.33195 of 2024

WEB COPY

representation of the petitioner and pass orders on the claim made by the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

13.11.2024

Index: Yes/No

Speaking order/Non-speaking order

msr

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram 605 602.



W.P.No.33195 of 2024

2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Thiruvannamalai Region,
Vengikkal Bye Pass Road,
Tiruvannamalai 606 601.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 600 002.



WEB COPY



W.P.No.33195 of 2024

V.BHAVANI SUBBAROYAN,J.

msr

W.P.No.33195 of 2024

13.11.2024