



W.P.(MD).No.3952 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3952 of 2024

B.Maharajan

... Petitioner

Vs

1. The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Rep. by its Managing Director,
Tirunelveli Division, Kattapomman Nagar,
V.M. Chathiram, Tirunelveli.

2. The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Rep. by its General Manager,
Nagercoil Region, Ranithottam,
Nagercoil.

... 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 pay interest at the rate of 12 percentage per annum, for the period of delay from the petitioner's date of retirement (30.06.2018) to till the date of reimbursement (31.08.2019) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employees Contribution, Gratuity and Encashment of Earned / Sick Leave and other montary benefits etc., within a time frame as may be fixed by this Court, without affecting the petitioner's right to claim balance amounts towards those benefits.



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For Petitioner : Mr. R. Murugan
For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to pay interest at the rate of 12 percentage per annum, for the period of delay from the petitioner's date of retirement (30.06.2018) to till the date of reimbursement (31.08.2019) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employees Contribution, Gratuity and Encashment of Earned / Sick Leave and other montary benefits etc., within a time frame as may be fixed by this Court, without affecting the petitioner's right to claim balance amounts towards those benefits.

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 18.01.1989. He retired from service on attaining the age of superannuation on 30.06.2018.



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4. It is admitted that his 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 the belated settlement of petitioner's terminal and pension benefits namely EPF Employees Contribution, Gratuity and Encashment of Earned / Sick Leave and other monetary benefits, without affecting the petitioner's right to claim balance amounts towards those benefits, from the date of his retirement to till the date of payment. This shall be done within a period of twelve (12) weeks



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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
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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