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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7795 of 2024

S.Murugesan ... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore-641 043.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
Erode Region, Chennimalai Road,
Erode-1. ... 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 interest at the rate of 6% per annum for the belated payment of petitioner's terminal benefits including Provident Fund, Gratuity, Pension arrear, Commutation, Pension Increment, Surrender Leave and Terminal Leave

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Salary from the date of the petitioner's retirement to till the date on which the said benefits were settled to him, within the time frame fixed by this Court.

For Petitioner : Mr.S.Prasanth

For Respondents : Mr.K.Ramaiah,
Standing Counsel

ORDER

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

2. The present writ petition has been filed seeking direction to the respondents to settle the interest at the rate of 6% per annum for the belated payment of petitioner's terminal benefits including Provident Fund, Gratuity, Pension arrear, Commutation, Pension Increment, Surrender Leave and Terminal Leave Salary from the date of the petitioner's retirement to till the date on which the said benefits were settled to him.

3. The petitioner was appointed as Conductor in the respondent corporation on 30.01.1992 On attaining the age of superannuation, he retired from service on 29.02.2020.

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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 is disposed of by directing the respondents management to pay interest at the rate of 6% per annum for belated settlement of terminal benefits of the petitioner. The said exercise shall be done within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

28.03.2024

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

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L.VICTORIA GOWRI, J.

Sml

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