



W.P.(MD)No.9325 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.9325 of 2024

K.Meenakshi

... Petitioner

vs.

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay interest at the rate of 12% per annum, for the period of delay from the petitioner's husband's date of last service (09.09.2020) to till the date of reimbursement (01.12.2022), for the amount paid towards the petitioner's husband's terminal and pension benefits namely EPF Employee's



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Contribution, Gratuity, Encashment of Earned/Sick Leaves and other monetary benefits etc., within a time frame as may be fixed by this Court without affecting the petitioner's right to claim balance amount towards those benefits.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.K.Ramiah,
Standing Counsel

ORDER

Heard Mr.R.Murugan, learned counsel appearing for the petitioner and Mr.K.Ramiah, learned Standing Counsel appearing for the respondents.

2. The petitioner has filed this petition seeking to issue a Writ of Mandamus directing the respondents to pay interest at the rate of 12% per annum, for the period of delay from 09.09.2020 till 01.12.2022 in paying the amounts paid towards her husband's terminal and pensionary benefits without affecting her right to claim the balance amount towards those benefits.



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

4. The petitioner's husband was appointed as a Junior Assistant in the respondent Corporation on 16.07.1988 and after being promoted to various stages, he was holding the post of Senior Superintendent finally. While so, he died on 09.09.2020. The petitioner has filed this petition seeking interest for the belated settlement of her husband's terminal and pensionary benefits.

5. It is admitted that the petitioner's husband's terminal and pensionary benefits were not settled immediately but only belatedly *i.e.*, on 01.12.2022. The only question that arises for consideration is with regard to the rate of interest payable on the belated settlement.

6. 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***



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(Tirunelveli) Ltd., & Another).

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7. Therefore, this Court directs the respondent Corporation to pay interest at the rate of 6% per annum for belated settlement of petitioner's husband's terminal and pensionary benefits within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. In view of the above, this Writ Petition is **disposed of**. No costs.

16.04.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

mbi



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R.N.MANJULA, J.

mbi

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