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Rev.Aplw.(MD)No.53 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

REV.APL WRIT(MD)No.53 of 2024

IN

W.P.(MD)No.6020 of 2020

N.Thennarasu

... Petitioner

Vs.

1.The Managing Director,
State Express Transport Corporation (Tamilnadu)Ltd
Pallavan Salai, Chennai-2.

2.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.

... Respondents

PRAYER: Review Application filed under Order 47 r/w 114 of the Code of Civil Procedure, 1908, to review the order passed in W.P.(MD)No. 6020 of 2020 for review insofar as not issuing any direction to pay interest for the belated payment of commuted value of pension and leave salary and consequently direct the respondents to pay interest for the belated payment of commuted value of pension and leave salary.

For petitioner : Mr.A.Rahul

For Respondents : Mr.R.Rajamohan



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ORDER

This review application has been filed to review the order passed in W.P.(MD)No.6020 of 2020 for review insofar as not issuing any direction to pay interest for the belated payment of commuted value of pension and leave salary and consequently direct the respondents to pay interest for the belated payment of commuted value of pension and leave salary.

2.The petitioner filed a writ petition in W.P.(MD)No.6020 of 2020 for a direction to settle interest at the rate of 18% per annum for the belated payment of the petitioner terminal benefit including Gratuity, Leave Salary and commuted Value or Pension from the date of the petitioner's retirement to till the date on which the said benefits were settled to him. However, this Court, vide order dated 24.03.2020, issued a direction to settle the Gratuity amount with interest at 6% interest and thereby, the present review application came to be filed.

3.The learned counsel appearing for the petitioner submitted that the gratuity amount was settled, however, leave salary and commuted value was not settled and hence, he prayed for appropriate orders.



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4.The learned counsel appearing for the respondents submitted that if the petitioner is eligible for leave salary and commuted value at the rate of 6% interest, the same will be paid from the date of the petitioner's retirement to till the date of settlement.

5.In view of the above, the respondents are directed to settle the leave salary and commuted value of the pension from the date of petitioner's retirement to till the date of settlement, if otherwise the petitioner is eligible. Accordingly, this review application is disposed of. No costs.

15.02.2024

Index : Yes/No
Internet : Yes/No
gns

To

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2.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.



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M.DHANDAPANI. J.

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CrI.O.P.(MD)No.284 of 2022

15.02.2024