



W.P.(MD).No.14298 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.14298 of 2024

S.Kanthimathinathan

... Petitioner

Vs.

The Management of
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Region,
Represented by its,
General Manager,
Tirunelveli.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay the petitioner interest at the rate of 6% per annum, for the period of delay from 01.08.2022 to 30.05.2023, in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leave within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.D.Jebaraj



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ORDER

WEB COPY Heard Mr.S.Arunachalam, learned counsel for the petitioner and Mr.D.Jebaraj, learned counsel for the respondent.

2. The petitioner has filed this petition for issuance of Writ of Mandamus, seeking direction against the respondent to pay the interest at the rate of 6% per annum, for the period of delay from 01.08.2022 to 30.05.2023, in paying the amounts paid towards the petitioner's terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of leave.

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

4. The petitioner was employed in the respondent Corporation from 02.11.1984 and after completion of 38 years of service, while working as Assistant Manager, he was retired from service on 31.07.2022, on attaining the age of superannuation.

5. It is admitted that the petitioner's terminal benefits were not settled immediately but only belatedly that is on 30.05.2023, by issuing



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cheques and the amount was credited in his bank account on 31.05.2023.

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 (Tirunelveli) Ltd., & Another)*.

7. Therefore, this Court directs the respondent management to pay interest at the rate of 6% per annum for belated settlement of petitioner's terminal benefits within a period of eight weeks from the date of receipt of a copy of this order.

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

02.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

To:

The General Manager,
The Management of
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Region,
Tirunelveli.

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