



W.P.(MD).No.14299 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.14299 of 2024

G.Baskar

... Petitioner

Vs.

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

2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay the petitioner interest at the rate of 6% per annum, for the period of delay from 01.06.2022 to 31.05.2023, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of leave/already Surrendered Earned Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.



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For Petitioner : Mr.S.Arunachalam
For R-1 : Mr.D.Jebaraj
For R-2 : Mr.S.C.Herold Singh

ORDER

Heard Mr.S.Arunachalam, learned counsel for the petitioner, Mr.D.Jebaraj, learned counsel for the 1st respondent and Mr.S.C.Herold Singh, learned counsel for the 2nd 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 01.06.2022 to 31.05.2023, in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of leave/already Surrendered Earned Leaves and Commutated Value of Pension.

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



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4. The petitioner was appointed as Junior Engineer in the first respondent Corporation from 17.03.1986 and after completion of 36 years of service, while working as Assistant Manager, he was retired from service on 31.05.2022, on attaining the age of superannuation.

5. It is admitted that the petitioner's terminal benefits were not settled immediately but belatedly on 31.05.2023, by issuing cheques. 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.



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

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

To:

- 1.The General Manager,
The Management of
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Region,
Tirunelveli.
- 2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 2.



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R.N.MANJULA, J.

Nsr

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