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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2025

CORAM:

THE HON'BLE MR.JUSTICE BATTU DEVANAND

W.P.(MD).No.8086 of 2025

David.S ... Petitioner

Vs.

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

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to pay the petitioner interest at the rate of 18% 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 Leaves.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Ramaiah
Standing Counsel (TNSTC)

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ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents to disburse interest at the rate of 6% for the belated payment of retirement benefits, namely, gratuity, provident fund, leave salary and commutation.

2. The petitioner was appointed as Special Grade Conductor in the respondent Corporation on 01.11.1996 and he retired from service on 31.07.2022. The learned counsel for the petitioner submits that the petitioner's terminal benefits was not settled immediately and there is an abnormal delay.

3. In view of the same, the only issue to be considered in this Writ Petition is with regard to interest payable on the belated settlement. This issue was dealt with by this Court on various occasions and this Court passed orders in several Writ Petitions. In fact, the issue involved in this writ petition is no longer *res-integra*.

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4. This Court in W.P(MD)No.4866 of 2023 (C.Murugan vs. The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd., and another by order dated 07.03.2023 has decided this issue.

5. Accordingly, by following the order stated supra, this Writ Petition is allowed with the following direction:

> The respondent shall pay interest to the petitioner at the rate of 6% per annum on the belated payment of the retirement benefits commencing from the date of retirement, till the date of actual disbursement, within a period of three months from the date of receipt of a copy of this order.

6. No costs.

24.03.2025
(5/8)

NCC :yes/No
Index :yes/No
Internet:yes/No
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BATTU DEVANAND, J.

rgm

To

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

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