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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.8485 of 2025

V.Subash Kumar ... Petitioner

Vs.

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

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

3.The Administrator,
Tamil Nadu State Transport Corporation
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 interest at the rate of 12% per annum, for the period of delay from the petitioner's date of

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retirement (31.05.2023) to till the date of reimbursement (10.03.2025) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Earned/Sick Leaves and Commutation of Pension, within a time frame as may be fixed by this Court without affecting the petitioner's right to claim balance amounts towards those benefits.

For Petitioner : Mr.R.Murugan

For R1 & R2 : Mr.K.Ramaiah
Standing Counsel

For R3 : Mr.S.C.Herold Singh
Standing Counsel

O R D E R

This Writ Petition has been filed seeking a writ of mandamus directing the respondents to pay interest for the period of delay from the petitioner's date of retirement (31.05.2023) to till the date of reimbursement (10.03.2025) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Earned/Sick Leaves and Commutation of Pension, within a time frame fixed by this Court.

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2. The petitioner was appointed as Junior Engineer in the respondent Corporation on 01.01.1993 and he retired from service on 31.05.2023. 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.*

4. This Court in W.P(MD)No.4866 of 2023 (C.MuruganVs. 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 respondents 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

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disbursement, within a period of three months from the date of receipt of a copy of this order.

6. No costs.

27.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

To:

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

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
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3.The Administrator,
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BATTU DEVANAND, J.

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