



W.P.(MD)No.18904 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.07.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD) No.18904 of 2025

V.Swaminathan

: Petitioner

Vs.

1. The Government of Tamilnadu,
Rep. by its Secretary,
Transport Department,
Secretariat,
Chennai 600 009.

2. The Managing Director,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur District.

3. The General Manager,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to settle the interest for the belated payment of retirement benefits such as Gratuity, Earned Leave, Provident Fund, Cholan Employees Security Scheme(CESS), Recovery Refund, Miscellaneous (EEC, PMC, Polytechnic, IRT) and other retirement benefits payable to the petitioner



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with 6 percent rate of interest within the time frame that may be stipulated by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
For Respondents : Mr.K.Balasubramani (R1)
Special Government Pleader
Mr.K.Ramaiah (R2 & R3)
TNSTC Standing Counsel

ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents to settle the interest for the belated payment of retirement benefits such as Gratuity, Earned Leave, Provident Fund, Cholan Employees Security Scheme(CESS), Recovery Refund, Miscellaneous (EEC, PMC, Polytechnic, IRT) and other retirement benefits payable to the petitioner with 6 percent rate of interest within the time frame that may be stipulated by this Court.

2. Heard the learned counsel on either side. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.



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3. The petitioner joined in the service of the respondent Corporation on 09.05.1989 and he retired from service on 31.05.2023. The learned counsel for the petitioner submits that the petitioner's terminal benefits were not settled immediately and there is an abnormal delay.

4. 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*.

5. 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.

6. Accordingly, by following the order stated supra, this writ petition is allowed with the following direction:



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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 date of actual disbursement, within a period of three months from the date of receipt of a copy of this order. No costs.

11.07.2025

Index : Yes / No
NCC : Yes / No
sm

(18/24)



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To:-

1. The Secretary,
Transport Department,
Secretariat,
Chennai 600 009.
2. The Managing Director,
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Thanjavur District.
3. The General Manager,
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VIVEK KUMAR SINGH, J.

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