



W.A(MD) No.1222 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19.08.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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T.Nagarajan

... Appellant / Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

3.The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

... Respondents/Respondents



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed by the learned Judge in W.P.No. 16907 of 2016, dated 13.07.2017.

For Appellant : Mr.A.Rahul

For Respondents : Mr.S.C.Herold Singh
for R1 & R2

: Mr.D.Sivaraman
for R3

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The appellant Nagarajan is no more. The appellant was working as Secondary Grade Assistant Manager in the respondent transport corporation. He retired on 28.05.2007. His retirement benefits were not immediately settled for the reason that he was facing criminal prosecution. The criminal case was quashed by this Court vide order dated 30.06.2015 in CrI.O.P.(MD)No.20177 of 2013. The management ought to have settled the gratuity payable to the appellant immediately thereafter. But then, there was a delay. The gratuity amount was settled



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only on 27.01.2018. In the meanwhile, the appellant had filed W.P. (MD)No.16907 of 2016. The learned Judge allowed the writ petition vide order dated 13.07.2017 but did not issue any direction for payment of interest. Aggrieved by this omission, this writ appeal has been filed.

3. Our attention is to the decision of the Hon'ble Supreme Court reported in 2013 3 SCC 472 (Y.K.Singla Vs. Punjab National Bank). The Hon'ble Supreme Court had held that when gratuity is belatedly paid, it would carry interest at the rate of 10% per annum. The management is obliged to pay interest for the period from 01.07.2015 to 27.01.2018.

4. The learned standing counsel for the corporation states that the appellant appears to have contracted a bigamous marriage and in view of the dispute between two wives, even family pension has not been claimed. We direct the respondent management to pay the interest for the aforesaid period once the *inter se* dispute is settled between the two wives in the manner known to law.



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WEB COPY 5. The writ appeal is disposed of accordingly. No costs.

(G.R.S., J.) (K.R.S., J.)
19.08.2025

Index : Yes / No
Internet : Yes / No
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