



W.P.(MD) No.8115 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.8115 of 2026

S.Thangavel

... Petitioner

-VS-

1.The Managing Director
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai-16

2.The General Manager
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Dindigul Region, Dindigul-4

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to settle the belated payment interest at the rate of 6% per annum on the delayed payment of part of retirement benefits such as provident fund and gratuity Rs.48,738/- on



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26.10.2023, Rs.1,76,481 on 10.11.2023 and other major part of pension arrears Rs.10,67,551/- and difference in gratuity Rs.1,23,759/- and backwages Rs.5,48,086/- were settled in January, 2026 from the date of retirement on 30.04.2015 till the date of settlement in February, 2016.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.P.F.Ferlin Castro
Standing Counsel for R1 & R2
Mr.S.C.Herold Singh
Standing Counsel for R3

ORDER

Though the petitioner has sought for a larger relief, learned counsel for the petitioner, during the course of arguments, restricted the relief only to the extent of claim for interest at the rate of 6% per annum on the pension arrears that were paid to the petitioner belatedly. Hence, adjudication of this matter is confined to the extent of the said relief only.

2. Heard Mr.S.Govindan, learned counsel for the petitioner, Mr.P.F.Ferlin Castro, learned Standing Counsel appearing for the respondents 1 & 2 and Mr.S.C.Herold Singh, learned Standing Counsel appearing for the third respondent.



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3. The petitioner herein, who worked as a Conductor in the respondent – Transport Corporation, was attempted to be terminated from service on certain allegations of misconduct. But, the respondent – Transport Corporation emerged unsuccessful in terminating the petitioner from service. While the said litigation in connection with terminating the petitioner from service was pending, the petitioner attained the age of superannuation on 30.04.2015. Ultimately, the litigation in connection with terminating the petitioner from service was ended in favour of the petitioner on 01.06.2025 on dismissal of the writ appeal in W.A.(MD) Nos.2399 & 2604 of 2024.

4. It was thereafter, the petitioner was paid pension arrears to the tune of Rs.2,66,887/- and Rs.8,00,664/- on 28.01.2026 and 18.02.2026 respectively. But for the attempt made by the respondent – Transport Corporation to terminate the petitioner from service, he would have been retired from service on 30.04.2015 in normal course and would have had the benefit of receiving the pension arrears as early as on 30.04.2015. However, the petitioner was deprived of receiving the pension amount for more than a decade due to the unsuccessful litigation initiated by the respondent – Transport Corporation. Thus, it is evident that the petitioner was deprived of receiving the pension amount on he attaining the age of superannuation on



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30.04.2015. In other words, the pension amount that could have been otherwise payable to the petitioner had been in possession and enjoyment of the respondent – Transport Corporation for more than a decade.

5. The contention of the learned Standing Counsel appearing for the respondent – Transport Corporation that there is no provision for payment of interest in respect of the pension arrears cannot be accepted as the respondent – Transport Corporation had admittedly retained the pension amount that is otherwise payable to the petitioner as early as on 30.04.2015. The petitioner is deprived of enjoying the pension amount for more than a decade. It would be a different case where the respondent – Transport Corporation succeeded in the litigation. It is an admitted case that the respondent – Transport Corporation is unsuccessful in the entire litigation throughout, where an attempt was made to terminate the services of the petitioner. Therefore, it is evident that the petitioner is illegally deprived of enjoying the pension amount, which the petitioner is legally entitled to.

6. In the said circumstances, this Court is of the considered view that the petitioner is to be compensated appropriately for depriving him for his legitimate entitlement under law. The petitioner has also made claim for



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reasonable interest at the rate of 6% per annum only. Hence, this Court is of the considered view that this is a fit case where the petitioner should be compensated by directing the respondents to pay interest at the rate of 6% per annum on the pension arrears amount paid belatedly.

7. Accordingly, this writ petition is allowed directing the respondents to pay interest at the rate of 6% per annum on the pension arrears of Rs.2,66,887 and Rs.8,00,664/- paid only only 28.01.2026 and 18.02.2026 respectively. The respondents are further directed to calculate the interest from its respective due date till the date of actual disbursement of the arrears and pay the same to the petitioner, as expeditiously as possible, at any rate, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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