



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2021

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD).No.19797 of 2021

WEB COPY

S.Dhinakaran

... Petitioner

Vs.

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

...Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondent to pay the petitioner interest at the rate of 6% per annum, for the period of delay from 01.06.2019 to 24.01.2021 in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned/Sick Leaves, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner :Mr.S.Arunachalam

For Respondents :Mr.R.Rajmohan

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### **O R D E R**

This Writ Petition is filed to direct the respondents to pay 6% interest for the belated payment of terminal benefits payable to the petitioner from 01.06.2019 to 24.01.2021.

2.Heard Mr.S.Arunachalam learned Counsel for the petitioner and Mr.R.Rajmohan, learned Standing Counsel for the respondents.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.The petitioner is a retired employee of the respondent Transport Corporation. It is stated by the petitioner that he was retired from service on attaining the age of superannuation. Though terminal benefits payable to petitioner was settled, it is stated that there is a long delay. Hence, the petitioner has come



forward with the present Writ Petition claiming interest for the belated payment of retirement benefits.

5.This Court, in similar circumstances, has awarded interest for the belated payment of terminal benefits. It is also admitted that uniformly, this Court has fixed the rate of interest at 6% per annum for the belated payment of terminal benefits. The learned Standing Counsel appearing for the respondent Corporation submitted that the payment of interest may be directed to be settled to the petitioner in six equal monthly instalments commencing from 05<sup>th</sup> of December 2021.

6.In view of the above, this Writ Petition is disposed of with the direction to the respondent to pay interest at the rate of 6% per annum for the belated payment of retirement benefits for the period from the date when the amount fall due till the date of actual disbursement. The respondents shall calculate the interest forthwith and disburse the entire amount payable in six equal monthly instalments commencing from 05.12.2021. The entire payment should be completed before 05.05.2022. If there is any further delay in payment of interest, the interest will be at 8% per annum and it is also open to the petitioner to approach this Court for higher rate of interest, in case, the dues are not settled within one year from this date. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tmg/cmr

To

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

+1 CC to M/s.R. RAJAMOHAN, Advocate (SR-33652[F] dated 02/11/2021)

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RK/PM(22/11/2021) 2P 3C