



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.14633 of 2022

B.Kalaiselvi

...Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy Post, Salamedu,
Villupuram 605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region, Vellore 632 009.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to pay interest for the belated payment of Gratuity, Commutation and Leave liability amount at the rate of 9% per annum.

For Petitioner : Mr.J.Pradeep

For Respondents: Mr.R.Balaji,
Standing Counsel

ORDER

By consent of counsels to both the parties, this writ petition is disposed of at the admission stage itself.

2. The relief sought for in the writ petition is for a Mandamus seeking direction to the respondents to pay interest at the rate of 9% per annum for the belated payment of retirement benefits.



3. The petitioner was working as Superintendent in the respondent Transport Corporation and she retired from service on 29.02.2020. But, the respondents have settled the retirement benefits to the petitioner belatedly, without any interest. Hence, she made a representation on 10.02.2022 to pay interest for the belated payment. But it was not considered by the respondents. Hence, this writ petition has been filed.

4. The learned counsel appearing for the petitioner submitted that, the respondents have settled the retirement benefits to the petitioner, without any interest and despite request made by her, the respondents did not pay interest for the belated payment of retirement benefits. Hence, the respondents may be directed to pay the interest amount.

5. The learned Standing Counsels appearing for the respondents fairly accepted the fact that the respondent Corporation have settled the retirement benefits to the petitioner belatedly. He also submitted that as per the earlier orders passed by this Court, the petitioner is entitled for interest only at the rate of 4% per annum for the belated payment.

6. In view of the above submissions and with the consent of both parties, there shall be a direction to the respondents to pay penal interest at the rate of 4% per annum for the belated payment of retirement benefits to the petitioner, within a period of four months from the date of receipt of a copy of this order, subject to the condition that if the petitioner has not already given up her right for claiming interest for the retirement benefits. It is also made clear that in default, the respondent-Corporation shall have to pay the interest amount at the rate of 6% per annum to the petitioner.

7. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mst



To

1. The Managing Director,
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Corporation (Villupuram) Ltd.,
Vazhuthareddy Post, Salamedu,
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2. The General Manager,
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Employees' Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.R.Balaji, Advocate, S.R.No.35811
+1cc to Mr.J.Pradeep, Advocate, S.R.No.35073

W.P.No.14633 of 2022

RR[co]
NSK/29/06/2022