



W.P.No.15136 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.15136 of 2022

S.Gurunathasamy

... Petitioner

vs.

1.Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Rep. by its Managing Director
Mettupalayam Road,
Coimbatore-641 043.

2.Tamil Nadu State Transport
Corporations Employees' Pension
Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai, Chennai – 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay the petitioner interest at the rate of 12% per annum for the belated payment of PF, gratuity, earned leave salary and commuted value of pension, within a specified time as may be fixed by this Court.



W.P.No.15136 of 2022

For Petitioner : Mr.V.Porkodi

For R1 : Mr.K.Raja
Standing Counsel

For R2 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to pay the petitioner interest at the rate of 12% per annum for the belated payment of PF, gratuity, earned leave salary and commuted value of pension, within a specified time as may be fixed by this Court.

3. Heard the learned counsel appearing for the petitioner and the learned Standing Counsels appearing for the respondents.

4. The petitioner was employed as Senior Grade Conductor under the respondent Transport Corporation and retired from service on superannuation



W.P.No.15136 of 2022

on 31.05.2018. However, the respondents have settled the retirement benefits to the petitioner belatedly, without any interest. Hence, the petitioner made a representation on 10.03.2022 to pay interest, however, the respondents have not considered it. Hence, this writ petition has been filed.

5. The learned Standing Counsel appearing for respondents fairly accepted the fact that the respondents-Corporation have settled the retirement benefits to the petitioner belatedly. He also submitted that 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 twelve weeks from the date of receipt of a copy of this order, subject to the condition that if the petitioner has not already given up his 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.



W.P.No.15136 of 2022

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

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17.06.2022

Index : Yes / No
Internet : Yes / No
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To

- 1.The Managing Director
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Mettupalayam Road,
Coimbatore-641 043.
- 2.Tamil Nadu State Transport
Corporations Employees' Pension
Fund Trust,
Rep. by its Administrator,
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W.P.No.15136 of 2022

D.KRISHNAKUMAR. J

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W.P.No.15136 of 2022

(2/2)

17.06.2022