



WP.No.15823 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15823 of 2022

1. A.Veliah
 2. V.Kumar
 3. M.Baskaran
 4. K.Sachithanandam
 5. P.Damoderan
 6. P.Ramu
 7. K.Appadurai
 8. P.Babu
 9. K.R.Venkatesan
 10. L.Gunasekar
 11. E.Masilamani
 12. G.K.Ramachanderan
 13. P.K.Brindavanam
 14. C.Ganesan
- ... Petitioners

Vs.

- 1.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
2, Pallavan Illam, Annasalai,
Chennai 600 002.



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2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
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 @ 10% for the belated payment of Provident Fund, Gratuity, Leave Salary and Commutation of pension amount to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu

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 10% per annum for the belated payment of retirement benefits to the petitioners.



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3. The petitioners were working as Foreman/ Driver/ Conductor/ Checking Inspector/Traffic Inspector/Driving Instructor under the respondent Transport Corporation and they retired from service in the year 2018, 2019 and 2020. But, the respondents have settled the retirement benefits to the petitioners belatedly, without any interest. Hence, they made their individual representations on various dates to pay interest for the belated payment. But it was not considered. Hence, this writ petition has been filed.

4. The learned counsel appearing for the petitioners submitted that, the respondents have settled the retirement benefits to the petitioners, without any interest and despite request made by them, they 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 Counsel appearing for the respondents' Corporation fairly accepted the fact that the petitioners were settled retirement benefits belatedly. He also submitted that as per the earlier



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orders passed by this Court, the petitioner are 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 petitioners, within a period of four months from the date of receipt of a copy of this order, subject to the condition that if the petitioners have not already given up their 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 petitioners.

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

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Index: Yes/No
Internet: Yes/No
mst



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To

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Chennai 600 002.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
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D. KRISHNAKUMAR, J.

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