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W.P.No.25261 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.25261 of 2022

K.T.Lakshmanan

... Petitioner

Vs

1.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Vellore Region, Rangapuram
Vellore – 632 009.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to pay to the petitioner 10% interest for the belated payment of the terminal benefits such as Gratuity, Surrender Leave Salary and Pension Commutation amount.

For Petitioner : Mr.S.T.Varadarajalu

For Respondent : Ms.S.Pavithra
Standing Counsel (for R1)

: Mr.C.S.K.Sathish
Standing Counsel (for R2)



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ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to pay to the petitioner 10% interest for the belated payment of the terminal benefits such as Gratuity, Surrender Leave Salary and Pension Commutation amount.

2. The petitioner was working as Superintendent at the 1st respondent Transport Corporation. After rendering long years of service, he retired on superannuation on 31.08.2018. Though he retired on the said date, his retiral benefits have not been paid immediately and it was belatedly paid only on 19.09.2019.

3. Therefore, in order to get the interest for the said belated payment of the retirement benefits, the petitioner has given representation to the respondents on 24.03.2020 and the same since has not been considered, he has filed the present writ petition.

4. Reiterating the aforestated facts, Mr.S.T.Varadarajalu, learned counsel appearing for the petitioner seeks a direction by way of mandamus to the respondents to calculate the interest payable by the



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respondents for the belated payment of the retiral benefits and to settle the same to the petitioner at the earliest.

5. Heard Ms.S.Pavithra, learned Standing Counsel appearing for the 1st respondent who would submit that the said representation of the petitioner dated 24.03.2022 would be considered and decided on merits.

6. I have considered the said submissions made by both sides.

7. Insofar as the belated payment of retiral benefits is concerned, certainly the employee, who retired, is entitled to get reasonable interest and earlier the interest was paid at the rate of 6%. Now, in some of the cases of similarly placed persons like the petitioner, Courts invariably allowed only 4% interest and therefore, this Court feels that in this case also, the petitioner would be entitled to get 4% interest for belated payment of retirement benefits. In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 1st respondent to consider the request of the petitioner dated 24.03.2022 and pass orders calculating the interest for the belated payment



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of retiral benefits of the petitioner at the rate of 4% per annum and pay the same to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

8. With this direction, this Writ Petition is disposed of. No costs.

20.09.2022

Index : Yes/No

Speaking Order : Yes/No

Sgl

To

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(Villupuram) Ltd.,
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Vellore – 632 009.

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R. SURESH KUMAR, J.

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