



W.P.No.28489 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28489 of 2022

P.Kumar

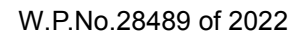
... Petitioner

Vs

1. The Management of
Tamil Nadu sTate Transport Corporation (Kovai) Ltd.,
Erode Region,
Rep. by its Managing Director,
Erode.
2. The Administrator,
Tamil Nadu State Transport Employees' Pension fund trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai - 2.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to pay the petitioner interest at the rate of 18% per annum for the period of delay from 01.09.2019 to 24.10.2021 in paying the amounts paid towards his terminal and pension benefits namely EPF Employee's Contribution, gratuity, Encashment of Earned/Sick Leaves and Commutated Value of Pension



For Petitioner	...	Mr.V.Ajoy Khose
For Respondents	...	Mr.M.Murali Vinodh, Standing Counsel for R1 Mr.C.S.K.Sathish, Standing Counsel for R2

This writ petition has been filed for a Mandamus seeking for payment of interest for the belated payment towards his terminal and pension benefits namely EPF Employee's Contribution, gratuity, Encashment of Earned/Sick Leaves and Commutated Value of Pension to the petitioner, within a time frame as may be fixed by this Court.

2. Heard the learned counsel for the petitioner, Mr.M.Murali Vinodh, learned Standing Counsel, accepts notice on behalf of the 1st respondent and Mr.C.S.K.Sathish, learned Standing Counsel, accepts notice on behalf of the 2nd respondent.



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3. The petitioner has given representation on 13.04.2022 seeking for payment of interest for the belated payment of his terminal and pension benefits namely EPF Employee's Contribution, gratuity, Encashment of Earned/Sick Leaves and Commutated Value of Pension, though he retired from service on 31.08.2019 itself. Since the representation has not been considered till date, he has filed this writ petition.

4. No prejudice would be caused to the respondents, if the petitioners' representation is considered on merits and in accordance with law. It is settled law as laid down by various decisions of this Court that in case of delayed payment of retirement benefits, the employee is entitled for 4% interest. While passing the final orders, the same may be considered by the respondents.

5. For the forgoing reasons, this Court directs the respondents to pass final orders on the petitioner's representation dated 13.04.2022 seeking for payment of interest for the belated payment of his terminal and pension benefits namely EPF Employee's Contribution, gratuity, Encashment of



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Earned/Sick Leaves and Commutated Value of Pension within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, the Writ Petition is disposed of. No costs.

28.10.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To

1. The Management of
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Erode Region,
Rep. by its Managing Director,
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ABDUL QUDDHOSE, J.

vsi

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