



W.P.No.28527 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.10.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28527 of 2022

1. B.Sampath,
Special Gr.Conductor C 25131

2. K.Narayanamoorthy,
SPG.Conductor 51397

3. M.Chitra,
Spl.Gr.C 25110

... Petitioners

Vs

1. The Managing Director,
Metropolitan Transport
Corporation (Chennai) Ltd.,
2, Pallavan Illam,
Anna Salai,
Chennai – 600 002.

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

... Respondents



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Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to pay interest @ 10% to the petitioners for the belated payment of Provident Fund, gratuity, Leave salary and commutation of pension amount.

For petitioner ... Mr.S.T.Varadarajalu

For Respondents ... Mr.A.Vinoth Raj
Standing Counsel for R1
Mr.C.S.K.Sathish,
Standing Counsel for R2

ORDER

This writ petition has been filed for a Mandamus seeking for payment of interest for the belated payment of Provident Fund, Gratuity, Leave salary and commutation of pension amount to the petitioners.

2. Heard the learned counsel for the petitioners, Mr.A.Vinoth Raj learned Standing Counsel, who 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.

3. The petitioners have given representations on 22.09.2022, 12.10.2022 and 22.09.2022 respectively seeking for payment of interest for



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the belated payment of retirement benefits, which according to the petitioners were paid only on 21.01.2021 though they retired from service on 31.12.2019, 31.10.2019 & 30.11.2019 itself respectively. Since the representations have not been considered till date, they have filed this writ petition.

4. No prejudice would be caused to the respondents, if the petitioners' representations are 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 petitioners' representations dated 22.09.2022, 12.10.2022 and 22.09.2022 respectively seeking for payment of interest for the belated payment of Provident Fund, Gratuity, Leave salary and commutation of pension amount to the petitioners within a period of twelve



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weeks from the date of receipt of a copy of this order.

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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

(2/3)

To

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Chennai – 600 002.
2. The Administrator,
Tamil Nadu State Transport Corporation,
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ABDUL QUDDHOSE, J.

vsi

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