



W.P.No.28799 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022  
CORAM

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

W.P.No.28799 of 2022

M.Paramasivam,  
(Staff No.CR 2666)

... Petitioner

Vs

Tamil Nadu State Transport Corporation (Salem) Ltd.,  
rep. by its Managing Director,  
No.12, Ramakrishna Road,  
Salem - 7.

... Respondent

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 12% per annum for the belated payment of his PF, gratuity and earned leave salary and to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contribution and to refund of contributions under the Post Retirement Benefit Scheme together with interest at the rate of 12% within a specified time as may be fixed by this Court.

|                |     |                                          |
|----------------|-----|------------------------------------------|
| For Petitioner | ... | Mr.V.Porkodi                             |
| For Respondent | ... | Mr.K.Raja,<br>Standing Counsel for TNSTC |



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## **ORDER**

**WEB COPY** This writ petition has been filed for a Mandamus seeking for a direction to pay interest at the rate of 12% for the belated payment of PF, gratuity and earned leave salary and to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contribution and to refund of contributions under the Post Retirement Benefit Scheme together with interest at the rate of 12% within a specified time as may be fixed by this Court.

2. Heard the learned counsel for the petitioner, Mr.K.Raja, learned Standing Counsel accepts notice on behalf of the respondent. By consent of the parties, the main writ petition has been taken up for final disposal.

3. The petitioner has given a representation on 13.06.2022 seeking for payment of interest at the rate of 12% for the belated payment of PF, gratuity and earned leave salary and to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contribution and to refund of contributions under the Post Retirement Benefit Scheme together



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with interest at the rate of 12% . Though the petitioner retired from service on 30.06.2019 itself, the respondent had settled the retirement benefits to the petitioner only on 22.01.2021. 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 petitioner's 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 order, the same may be considered by the respondents.

5. For the forgoing reasons, this Court directs the respondent to pass final orders on the petitioner's representation dated 13.06.2022 seeking for payment of interest at the rate of 12% for the belated payment of PF, gratuity and earned leave salary and to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contribution and to refund of contributions under the Post Retirement Benefit Scheme together with interest



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at the rate of 12%, 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.

**01.11.2022**

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

To  
Tamil Nadu State Transport Corporation (Salem) Ltd.,  
rep. by its Managing Director,  
No.12, Ramakrishna Road,  
Salem - 7.



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**ABDUL QUDDHOSE, J.**

vsi

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