



WEB COPY



W.P.No.29461 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.29461 of 2022

S.Kalavathi

... Petitioner

Versus

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
3/137, Salamedu,
Villupuram-605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Vellore Region,
Rangapuram, Vellore-632 009.
3. The Administrator,
Tamil Nadu State Transport Corporations Employees'
Pension Fund Trust,
Thiruvalluvarillam, Annasalai,
Chennai-600 002

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to pay interest to the petitioner at the rate of 6% p.a for the belated payment of her Gratuity, Earned Leave Salary and commuted value of pension within a time limit to be stipulated by this Court.



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For Petitioner : Mr.P.Manoj K Umar

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay interest for the belated payment of Gratuity, Earned Leave Salary and commuted value of pension.

2. Heard Mr.P.Manoj Kumar, learned counsel for the petitioner and Mr.R. Venkatesa Perumal, learned Standing Counsel accepts notice on behalf of respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. The petitioner claims that she has retired from service, but, her terminal benefits were paid belatedly and in such circumstances, the petitioner claims interest.

4. It is settled law as laid down by various decisions of this Court that insofar as the delay in payment of terminal benefits are concerned, the



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employer is liable to pay interest at the rate of 4% p.a. The petitioner has given a representation on 05.09.2022 seeking for the aforementioned relief. Since the representation has not been considered till date, the petitioner has filed this writ petition.

5. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law and after taking note of the fact that insofar as the delayed payment of the terminal benefits are concerned, they are liable to pay interest at the rate of 4%p.a to the petitioner.

6. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 05.09.2022, seeking for payment of interest for the delayed payment towards Gratuity, Earned Leave Salary and Commuted value of pension within a period of eight weeks from the date of receipt of copy of this order after taking note of the fact that in case of belated payments made to the petitioner towards his terminal benefits, the respondents are liable to pay interest at the rate of 4% p.a.



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ABDUL QUDDHOSE,J.

sr

7. With the aforesaid direction, the writ petition is disposed of. No costs.

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Index: Yes/No

Speaking Order/Non-Speaking Order

To

1. The Managing Director,
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