



W.P.No.30095 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30095 of 2022

E. J. Manohar

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

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

3. The Administrator,
Tamil Nadu State Transport Employees' Pension fund trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai - 2.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India



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praying for the issuance of a Writ of Mandamus directing the respondents to pay interest to the petitioner at the rate of 6% per annum for the belated payment of his Gratuity, Earned Leave Salary and commuted value of pension.

For Petitioner	...	Mr.P.Manoj Kumar
For Respondents	...	Ms.S. Pavithra
		Standing counsel for R1
		Mr.C.S.K. Sathish,
		Government Advocate for R2

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Ms.S. Pavithra, learned Standing counsel accepts notice for the 1st respondent and Mr.C.S.K. Sathish, learned Government Advocate accepts notice for the 2nd respondent.

3.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 Gratuity, Encashment of Earned Leave and Commutated Value of Pension to the petitioner, within a time frame as may be fixed by this Court.



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4. Heard Mr.P.Manoj Kumar, learned counsel for the petitioner, Ms.S. Pavithra, learned Standing counsel for the 1st respondent and Mr.C.S.K. Sathish, learned Government Advocate for the 2nd respondent.

5. The petitioner has given a representation on 23.09.2022 seeking for payment of interest for the belated payment of his terminal and pension benefits namely Gratuity, Encashment of Earned Leave and Commuted Value of Pension, though he retired from service on 31.05.2018 itself. Since the representation has not been considered till date, he has filed this writ petition.

6. 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 interest at the rate of 4% per annum. 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 23.09.2022 seeking for



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payment of interest for the belated payment of his terminal and pension benefits namely Gratuity, Encashment of Earned Leave and Commutated Value of Pension within a period of twelve weeks from the date of receipt of a copy of this order.

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

14.11.2022

(2/2)

Index: Yes/ No
Internet : Yes / No
Speaking Order/Non-speaking Order
vsi2

To
1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region,

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Rangapuram,
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3. The Administrator,
Tamil Nadu State Transport Employees' Pension fund trust,
Thiruvalluvar Illam,
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