



WEB COPY



W.P.No.30183 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30183 of 2022
and W.M.P.No.29618 of 2022

1.S. Duraisamy

2.P. Periaswami

3.V. Rajan

.. Petitioners

Vs.

1.M/s. Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 641 043.

2.M/s. Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
Rep. by its Administrator,
No.2, Pallavan Salai, Chennai – 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents herein to settle 6% interest for the belated settlement of terminal benefits to the petitioners above named herein as per the table enclosed herewith by considering the representations of 1st petitioner dated 08.07.2022 by 2nd petitioner dated 08.07.2022 and 3rd petitioner dated 09.07.2022.



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For Petitioners : Mr.D. Soundar Raj

For Respondents : Mr.A. Sundaravadhanam,
Standing Counsel [R1]
Mr.C.S.K. Sathish [R2]

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to pay 6% interest on account of the belated settlement of terminal benefits to the petitioners based on their representations.

2. Heard the learned counsel for the petitioners. Mr.A.Sundaravadhanam, learned standing counsel, accepts notice on behalf of the first respondent and Mr.C.S.K. Sathish, learned counsel, accepts notice on behalf of the second respondent. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the respective petitioners, they have retired from service but their terminal benefits were settled belatedly. In such circumstances, they have given representations to the respondents, requesting



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them to pay the interest @ 6% p.a. for the belated settlement of their terminal benefits. Since their representations have not been considered till date, they have filed this Writ Petition.

4. It is a settled law as laid down by various decisions of this Court that in case of belated payment of retirement benefits, the employees are entitled for 4% interest.

5. No prejudice will be caused to the respondents, if the petitioners are allowed to give fresh representation seeking for payment of interest on account of the alleged belated payment of terminal benefits to them.

6. For the foregoing reasons, this Court directs the respective petitioners to submit fresh individual representation to the respondents, requesting them to pay interest on account of the alleged belated payment of the terminal benefits, within a period of one (1) week from the date of receipt of a copy of this order. On receipt of the same, the respondents are directed to pass final orders on merits and in accordance with law, within a period of twelve (12) weeks thereafter.



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ABDUL QUDDHOSE,J.

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7. With the aforesaid directions, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

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Speaking/Non-speaking order
Index: Yes/No

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To

1.Managing Director,
M/s. Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
No.37, Mettupalayam Road,
Coimbatore – 641 043.

2.Administrator,
M/s. Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
No.2, Pallavan Salai, Chennai – 600 002.

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