



W.P.No.31038 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.11.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31038 of 2022
and
W.M.P.No.30439 of 2022

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1. D.Babu
2. J.Venkataraman
3. E.Pandiyan
4. T.Sivamurthi
5. M.Inayath Basha
6. P.Ariyan
7. P.Ranganathan
8. G.Krishnamurthi
9. S.Rajivi

.. Petitioners

Vs.

1. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Thiruvannamalai Region,
Bye Pass Road, Vangikkal,
Thiruvannamalai-606 604.

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

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to pay interest @ 10% for the belated payment of gratuity, leave salary, provident fund and



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commutation of pension amount to the petitioners.

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For petitioner : Mr.S.T.Varadarajulu

For respondents: Mr.R.Venkatesa Perumal, Standing Counsel

ORDER

This writ petition has been filed for a Mandamus to the respondents to pay interest @ 10% for the belated payment of gratuity, leave salary, provident fund and commuted value of pension.

2. Heard both sides and perused the materials available on record.

3. The petitioners claim that they have retired from service, but, their terminal benefits were paid belatedly and in such circumstances, the petitioners claim 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, is concerned, the employer is liable to pay interest at the rate of 4% p.a. The petitioners have given their respective representations on 17.03.2022 seeking for the aforementioned relief. Since the representations have not been considered till date, the petitioners have

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filed this writ petition.

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5. No prejudice would be caused to the respondents if the petitioners' representations are 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 petitioners.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioners' representations (stated above), seeking for payment of interest for the delayed payment towards gratuity, leave salary, employees' provident fund 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 petitioners towards their terminal benefits, the respondents are liable to pay interest at the rate of 4% p.a.

7. With the aforesaid direction, the writ petition is disposed of. There shall be no order as to costs.

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8. As far as W.M.P.No.30439 of 2022 filed in this Writ Petition seeking to permit the writ petitioners to join together to file single Writ Petition, is concerned, the same is ordered on condition that the each of the petitioners shall pay their separate Court fees, if not paid already.

22.11.2022

CS

To

1. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Thiruvannamalai Region,
Bye Pass Road, Vangikkal,
Thiruvannamalai-606 604.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Pallavan Salai, Chennai-600 002.



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ABDUL QUDDHOSE, J

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