



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P Nos.1668 & 1679 of 2023

W.P.No.1668 of 2023

1.R.Pichaiyandi

2.G.Balasubramanian

3.G.Arumugam

4.A.Kandan

Petitioners

vs.

1.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram Ltd),
Villupuram Region,
No.3/37, Salamedu, Villupuram,
Villupuram District – 607 002.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600 002.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay interest @ 10% for the belated payment of gratuity, Leave Salary and commutation of pension amount to the petitioners.



W.P.No.1679 of 2023

1.A.M.Ganesan

2.C.Selvarasu

3.T.Chandrasekaran

4.K.Devadoss

5.R.Ganesan

6.M.Jayaraman

Petitioners

VS.

1.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram Ltd),
Cuddalore Region,
No.2, Imperial Road,
Cuddalore – 607 002.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600 002.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay interest @ 10% for the belated payment of gratuity, Leave Salary and commutation of pension amount to the petitioners.



For Petitioner : Mr.S.T.Varadarajalu
in both W.Ps

For Respondents : Mr.R.Venkatesa Perumal
in both W.Ps Standing Counsel for R1

Mr.C.S.K.Sathish
Standing Counsel for R2

ORDER

These writ petitions have been filed for a direction to the respondents to consider the representation made by the petitioners wherein, the petitioners have sought for payment of 10% interest for the belated payment of their terminal benefits.

2.Heard Mr.S.T.Varadarajalu, learned counsel appearing on behalf of the petitioners, Mr.R.Venkatesa Perumal, learned Standing Counsel appearing on behalf of the 1st respondent and Mr.C.S.K.Sathish, learned Standing Counsel appearing on behalf of the 2nd respondent.

3.The petitioners have rendered continuous service for the period ranging from 20 to 30 years in the respondent Corporation. All of them attained superannuation during the years 2018 and 2019. After their retirement, their



terminal benefits were not settled immediately and there was a delay for the period ranging from 354 days to 414 days in settling the terminal benefits.

4. In view of the above, the petitioners made a representation to the respondents seeking for payment of interest for the delayed settlement of the terminal benefits. Since the same was not considered, the present writ petition has been filed before this Court.

5. The similar claim for payment of interest has been considered by this Court in several writ petitions and in one such writ petition in W.P.No.25261 of 2022, this Court passed the following order:

7. Insofar as the belated payment of retiral benefits is concerned, certainly the employee, who retired, is entitled to get reasonable interest and earlier the interest was paid at the rate of 6%. Now, in some of the cases of similarly placed persons like the petitioner, Courts invariably allowed only 4% interest and therefore, this Court feels that in this case also, the petitioner would be entitled to get 4% interest for belated payment of retirement benefits. In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 1st



respondent to consider the request of the petitioner dated 24.03.2022 and pass orders calculating the interest for the belated payment of retiral benefits of the petitioner at the rate of 4% per annum and pay the same to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

6.This Court has consistently granted 4% interest for belated payment of retirement benefits and the same will be followed in these writ petitions also.

7.In the light of the above discussion, there shall be a direction to the 1st respondent to consider the representations made by the petitioners and pass orders calculating the interest for belated payment of the terminal benefits at the rate of 4% per annum and pay the same to the petitioners, within a period of eight weeks from the date of receipt of copy of this order.

8.This writ petition is disposed of with the above direction. No Costs.

24.01.2023
(2/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR



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N. ANAND VENKATESH, J.

SSR

To

1. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram Ltd),
Villupuram Region,
No.3/37, Salamedu, Villupuram,
Villupuram District – 607 002.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram Ltd),
Cuddalore Region,
No.2, Imperial Road,
Cuddalore – 607 002.
3. The Administrator,
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