



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2344 of 2023

R.Muralidharan

Petitioner

vs.

1.M/s.State Express Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

2.M/s.State Express Transport Corporation,
Employees' 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 for issuance of a Writ of Mandamus, directing the 1st respondent to settle a sum of Rs.4,92,812/- towards 6 percent interest for the belated settlement of Gratuity, Provident Fund and leave Salary and directing the 2nd respondent to settle a Sum of Rs.1,77,167/- towards 6 percent interest for the belated settlement of commutation of pension amount and a sum of Rs.15,368/- towards pension arrears for the period from 20.11.2020 to 30.11.2020 to the Petitioner by considering the representations of the Petitioner dated 08.12.2022 and 19.01.2023.



WEB COPY



For Petitioner : Mr.D.Soundar Raj
For Respondent : Mr.S.Sivasubramani
Standing Counsel for R1

ORDER

This writ petition has been filed for issue of writ of mandamus directing the payment of interest for the belated settlement of Gratuity, Provident Fund and leave Salary, Commutation of pension and pensionary benefits, by considering the representations made by the petitioner on 08.12.2022 and 19.01.2023.

2.Heard Mr.D.Soundar Raj, learned counsel appearing on behalf of the petitioner and Mr.S.Sivasubramani, learned Standing Counsel appearing on behalf of the 1st respondent.

3.The grievance of the petitioner is that he was working in the respondent Corporation and he retired from service on 20.11.2020. The retirement benefits were settled to the petitioner only on 01.12.2022 after lapse of two years. Hence, the petitioner is seeking for interest on the belated payments of the terminal benefits. Representations were made in



this regard by the petitioner and since there was no response, this writ petition has been filed before this Court seeking for appropriate directions.

4.The issue that is involved in the present case is covered by the earlier order passed by this Court and the said order has been consistently followed in all cases. This Court is consistently passing orders by granting interest at the rate of 4% wherever there is a delay in the settlement of the terminal benefits. The same yardstick can be applied to the facts of the present case also.

5.In view of the above, there shall be a direction to the respondents to pay interest at the rate of 4% per annum for the belated settlements of the terminal benefits and such payment shall be made to the petitioner, within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondents along with all the relevant documents and also a copy of this order.



N. ANAND VENKATESH, J.

SSR

6.In the result, this writ petition is allowed with the above direction. No Costs.

02.02.2023

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

To

1.M/s.State Express Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

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

W.P No.2344 of 2023