



WEB COPY



Writ Petition No.2730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2730 of 2023

- 1.M.Mani
S/o.S.K.Marappan
- 2.S.Vajravelu
S/o.Shanmugasundaram
- 3.K.Subramanian
S/o.Karuppanna Gounder
- 4.P.Vijayakumar
S/o.Ponnusamy Gounder
- 5.P.Marimuthu
S/o.Palanisamy
- 6.T.Vadivelu
S/o.Thangamuthu

...Petitioners

Vs

- 1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimabtoe - 43.



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2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode - 638 001.

3.The Administrator,
Tamil Nadu State Transport Corporation EPF Trust,
Thiruvalluvar House, Anna Salai,
Chennai - 2.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave and Commuted Value of Pension at the rate of 12% per annum, within a specified time as may be fixed by this Court.

For Petitioners : Mr.N.Palani Kumar
For Respondents : Mr.M.Muralivinodh
Standing Counsel

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to pay interest for the belated payment of retiral benefits to the petitioners.

2. The case of the petitioners is that the petitioners were appointed in the respondent Corporation on 12.11.1986, 28.05.1986, 10.06.1987,

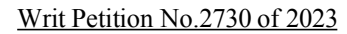


10.06.1987, 23.10.1992 and 23.08.1994 respectively. The petitioners 1 and 2 attained superannuation and retired from service on 31.05.2019 and 30.06.2019 respectively. The petitioners 3, 4, 5 and 6 retired from service on Voluntary Retirement Scheme on 30.09.2020, 23.05.2020, 31.03.2021 and 31.05.2020.

3. The grievance of the petitioners is that they were settled with the retirement benefits with a delay of more than 20 months. In view of the same, the petitioners made representations to the respondents seeking for payment of interest for the delayed payment of retiral benefits. Since the same were not considered, the present writ petition has been filed seeking for appropriate directions.

4. Heard Mr.N.Palani Kumar, learned counsel for petitioner and Mr.M.Muralivinodh, learned Standing Counsel, appearing for respondents.

5. 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



6. 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 delay in settling the retirement benefits from the date when it became due till the date on which it is actually paid. This process shall be completed by the respondents within a period of eight (8) weeks from the date of receipt of a copy of this order. The petitioners are directed to make fresh representations to the respondents along with all relevant documents and also a copy of this order.

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

03.02.2023

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Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



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N.ANAND VENKATESH, J

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