



WEB COPY



Writ Petition No.3274 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.3274 of 2023

A.Myilsamy

... Petitioner

Vs.

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd,
Rep.by its Managing Director,
Coimbatore.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondent to pay the petitioner interest to the petitioner at the rate of 18% per annum, for the period of delay from 01.05.18 to 19.09.19, in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned/Sick Leaves within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.A.Sundaravadhanam
Standing counsel



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ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondent to pay interest for the delay in settling the terminal benefits of the petitioner.

2. The case of the petitioner is that he was working as a conductor in the respondent Corporation and he attained super annuation and retired from service on 30.04.2018. The grievance of the petitioner is that there was a delay of more than one year in settling the terminal benefits. Hence, the petitioner has sought for interest for the delay in settling the terminal benefits.

3. Heard Mr.V.Ajoy Khose, learned counsel for petitioner and Mr.A.Sundaravadhanam, learned Standing Counsel, appearing for respondent.

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



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settlement of the retiral 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 delay in settling the retiral 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 petitioner is directed to make fresh representation to the respondents along with all relevant documents and also a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

07.02.2023

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
rap/gm



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N.ANAND VENKATESH, J

rap

To

The Managing Director,
The Management of Tamilnadu
State Transport Corporation (Kovai) Ltd,
Coimbatore.

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07.02.2023

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