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W.P.No.6364 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2023

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THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6364 of 2023

S. Gunasekaran

... Petitioner

Vs.

Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Erode Region,
Rep. by its Managing Director,
Mettupalayam Road,
Coimbatore – 641 043.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to pay the petitioner, interest for the belated payment of P.F, earned leave salary and Gratuity, at the rate of 12% per annum, within a specified time as may be fixed by this Court.

For Petitioner : Mr.V. Ajoy Khose

For Respondent : Mr.A. Sundaravadanam



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ORDER

Mr.A. Sundaravadanam, learned counsel, takes notice for the respondent. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. Aggrieved against the belated settlement of the terminal benefits to the petitioner, he has claimed interest on the belated payment in this Writ Petition.

3. In identical issues, this Court has passed various orders, justifying the payment of interest to the aggrieved pensioners and in the order dated 13.12.2019 in W.P.(MD).No.26481 of 2019, the following order came to be passed:-

.... *“5.I am not in agreement with the said representation made. There was already a duty cast on the respondent Corporation to pay the terminal benefits on the date of retirement itself and the very fact that the belated disbursement of retirement benefit, had already put the retired employee to*



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serious prejudice, entertaining the present request for disbursement of the interest on the belated payment in installments, could cause further prejudice to the retired employee. 6. In the light of the above observations, there shall be a direction to the respondent /Corporation to pay the penal interest at the rate of 6% per annum on the belated payment of the retirement benefits for the period from the date of the retirement, till the date of actual disbursement, as expeditiously as possible and in any event, not before the expiry of three months from the date of receipt of a copy of this order.”

4. This Court is of the view that the respondent could be directed to pay the interest on the belated payment, at the rate of 6% per annum, as ordered in the above Writ Petition.

5. In the light of the above findings, there shall be a direction to the respondent herein, to pay the interest on the belated payment of the terminal benefits to the petitioner at the rate of 6% per annum, commencing from the date of his retirement, till the date of actual



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M.S.RAMESH,J.

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disbursement, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands ordered. No costs.

01.03.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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To

Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Erode Region,
Mettupalayam Road,
Coimbatore – 641 043.

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