



WEB COPY



W.P.No.15423 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.15423 of 2023

P.Elumalai

...Petitioner

Vs

1. Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Rep. by the Managing Director,
3/137, Salamedu, Valudhareddy Post,
Villupuram - 605 602.

2. Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Rep. by the General Manager,
Vellore Regional Office,
Rangapuram, Vellore - 632 009.

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

...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 amounts to the belatedly paid retiral benefits viz. service gratuity,



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commutation of pension amount and leave salary at the rate of 4% per annum for the belated periods of payment in accordance with the order dated 24.03.2021 in W.P.No.506 of 2021.

For Petitioner : Mr.N.Ishak
For R1 & R2 : Mr.R.Venkatesa Perumal,
Standing Counsel
For R3 : Mr.C.S.K.Sathish

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein, who was serving as Special Grade Driver under the respondent Corporation, had retired from service on 31.12.2016 on reaching the age of superannuation. However, his retirement benefits came to be settled belatedly, i.e. gratuity on 16.06.2017, leave salary on 12.01.2018 and commutation of pension amount on 30.01.2021. The petitioner had given a representation on 10.04.2023, seeking for interest on the belated payment of the aforesaid retirement benefits, which is yet to be considered.



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3. This Court, in various decisions, have already taken a view that in all cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 4% per annum. In this background, this Court is of the view that the petitioner would be entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

4. In the light of the above observations, there shall be a direction to the first respondent herein to pay interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioner, from the date of his superannuation till the date of actual disbursement, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of.
No costs.

02.06.2023

Index: Yes/No
Speaking order/Non-speaking order
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M.S.RAMESH,J.

hvk

To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu, Valudhareddy Post,
Villupuram - 605 602.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Regional Office,
Rangapuram, Vellore - 632 009.
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