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W.P.No.14778 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14778 of 2023

K. Gandhi

... 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
praying to issue a Writ of Mandamus, directing the respondents to pay



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interest amounts to the delayed payment of Service Gratuity, Commutation of Pension amount at the rate of 4% per annum for delayed periods of 18 months in accordance with the order dated 24.03.2021 in WP.No.506 of 2021.

For Petitioner : Mr.N. Ishak

For Respondents : Ms.S. Pavithra,
Standing Counsel [R1 & R2]
Mr.C.S.K. Satheesh Kumar [R3]

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 had retired from service on 31.03.2018 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly and the respondents have not paid the interest for the belated payment, for which he has given representation on 06.04.2023, which is yet to be considered.

3. This Court, in various decisions, have already taken a view that in all cases of belated payment of the terminal benefits, the concerned



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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 and for the remaining claims if any, the respondents could be directed to consider the petitioner's representation.

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 from the date of superannuation till the date of actual payment, within a period of four (4) 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.

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Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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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.
- 3.The Administrator,
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