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W.P.No.16597 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.16597 of 2023

1.A.Shanmugam
2.S.Andrews
3.P.Panchatsharam
4.K.Elangovan

...Petitioners

Vs

1.The General Manager,
Tamil Nadu State Transport
Corporation [Villupuram] Ltd.,
Cuddalore Region, No.2, Imperial Road,
Cuddalore – 607 002.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2 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 @ 10% for the belated payment of terminal benefits such as Gratuity, Provident Fund, Gratuity, Leave Salary and Commutation of pension amount to the petitioners.



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For Petitioners : Mr.S.T.Varadarajalu
For R1 : Mr.R.Venkatesa Perumal
Standing Counsel
For R2 : 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 petitioners herein, who were serving as Checking Inspectors and Superintendents under the respondent Corporation, had retired from service on 01.07.2018, 31.01.2020, 31.05.2020 and 30.06.2018 respectively on reaching the age of superannuation. However, their retirement benefits came to be settled belatedly. The petitioners had given representations on 24.02.2023, 03.07.2021, 25.01.2023 and 15.02.2023 respectively, seeking for interest on the belated payment of the retirement benefits, 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 petitioners 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 petitioners, from the date of their retirement 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.

06.06.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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- 2.The Administrator,
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