



W.P.No.17889 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17889 of 2023

M.Shanmugam

... Petitioner

Vs

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.
- 2.The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore – 632 009.
- 3.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna 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



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interest to the petitioner at the rate of 8% per annum for the belated payment of his Earned Leave Salary, Gratuity and Commuted Value of Pension within a time limit to be stipulated by this Court.

For Petitioner : Mr.J.Lakshminarayanan

For Respondents : Mr.R.Venkatesh Perumal,
Standing Counsel
for R1 and R2

Mr.C.S.K.Sathish,
Standing Counsel for 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, who was appointed as a Driver under the respondent Transport Corporation, had retired from service on 31.05.2018 on reaching the age of superannuation. The petitioner had given a representation on 10.05.2023, seeking for interest on the belated payment of the 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 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.

16.06.2023

Index: Yes/No
Speaking order/Non-speaking order
vga



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M.S.RAMESH,J.

vga

To

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