



W.P.No.18386 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

**W.P.No.18386 of 2023**

1.S.Mohan

2.E.Sekar

3.A.Amalorpavam

4.S.Sengalvarayan

...Petitioners

Vs

1.The Managing Director,  
Metropolitan Transport  
Corporation (Chennai) Limited,  
No.2, Anna Salai,  
Chennai - 600 002.

2.The Administrator,  
Tamil Nadu State Transport Corporation  
Employees Pension Fund Trust,  
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 at 10% for the belated payment of terminal benefits such as P.F.,



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Gratuity, Leave Salary and Commutation of Pension amount to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu

For R1 : Mr.R.Venkatesa Perumal,  
Standing Counsel

For R2 : Mr.C.S.K.Sathish,  
Standing Counsel

### **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 under the respondent Corporation, had retired from service during the years 2019 and 2020 on reaching the age of superannuation. However, their retirement benefits came to be settled belatedly on 22.01.2021, 28.11.2022, 03.12.2022 and 01.12.2022 respectively. The petitioners had given individual representations to the respondents seeking for interest on the belated payment of the retirement benefits, which are 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 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, the petitioners herein are granted liberty to make a joint representation to the respondents seeking for interest on the belated payment of their retirement benefits, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the respondents herein shall consider it and pass orders, disbursing the interest amount on the belated payment of the terminal benefits at the rate of 4% per annum, from the date of their retirement till the date of actual disbursement of the retirement benefits, within a period of two weeks from the date of receipt of the representation.



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**M.S.RAMESH,J.**

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5. With the above direction, the Writ Petition stands disposed of.

No costs.

**23.06.2023**

Index:Yes/No

Speaking order/Non-speaking order

hvk

To

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