



W.P.No.19221 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.19221 of 2023

S.Thanigaivel

... Petitioner

Vs

1. Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Rep. by the Managing Director,
3/137, Salamedu, Valudharaddy Post, Villupuram – 605 602.
2. Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Rep. by the General Manager,
Kancheepuram Regional Office, Chennai – Bangalore Highway,
Kancheepuram – 631 552.
3. The Administrator
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai – 600 002.

... Respondents

Prayer:- Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pay interest to the belatedly paid retiral benefits viz., the Provident Fund, Service Gratuity, Commutation, of pension amount and Leave Salary at



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the rate of 4% per annum for 15 months of delayed payment to the petitioner in accordance with Order dated 24.03.2021 made in W.P.No.506 of 2021.

For Petitioner : N.Ishak

For Respondents : Mr.R.Venkatesa Perumal – R1 & R2

Mr.C.S.K.Sathish – R3

ORDER

This Writ Petition has been filed to direct the respondents to pay interest to the belatedly paid retiral benefits viz., the Provident Fund, Service Gratuity, Commutation, of pension amount and Leave Salary at the rate of 6% per annum for 15 months of delayed payment to the petitioner in accordance with Order of this Court dated 24.03.2021 made in W.P.No.506 of 2021.

2. The contention of the petitioner is that he retired from service on 31.12.2021 itself. However, his retiral benefits, viz., Provident Fund, Commutation of Pension, Gratuity and Leave Salary etc., have been paid



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to the petitioner only in March 2023, after a lapse of 15 months and no interest was paid for the belated payment as per settled law. Hence, seeks 6% interest for belated payment of retiral benefits.

3. Heard the learned counsel for the petitioner, Mr.R.Venkatesa Perumal, learned counsel appearing for the first and second respondents and Mr.C.S.K.Sathish, learned counsel appearing for the third respondent.

4. 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. Hence, this Court is of the view that the petitioner is entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

5. Accordingly, the first respondent is directed to pay interest at the rate of 4% per annum on the belated payment of the terminal benefits to



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the petitioner, from the date of his retirement till the date of actual disbursement within a period of eight weeks from the date of receipt of a copy of this Order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

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N.SATHISH KUMAR, J.

VTC

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