



W.P.No.19575 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.19575 of 2023

P.Mahendran

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/137, Salamedu, Valudharaddy Post, Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Vellore Regional Office, Rangapuram, Vellore – 632 009.

... 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 the pending amounts of dues payable to the petitioner viz., salary dues of Rs.14,619/- and Retirement Benefit fund of Rs.18,500/- as being communicated in letter No.10667 – 11058 [324] /PIO / TNSTC[V] /2023 dated 15.05.2023 under Right to Information Act 2005 along with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court.



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For Petitioner : N.Ishak

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

ORDER

This Writ Petition has been filed to direct the respondents to pay the pending amounts of dues payable to the petitioner viz., salary dues of Rs.14,619/- and Retirement Benefit fund of Rs.18,500/- as being communicated in letter No.10667 – 11058 [324] /PIO / TNSTC[V] /2023 dated 15.05.2023 under Right to Information Act 2005 along with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court.

2. The contention of the petitioner is that he retired from service on 30.06.2018 itself. However, his retiral benefits, viz., Provident Fund, Commutation of Pension, Gratuity and Leave Salary etc., have been paid to the petitioner only on 19.09.2019 no interest was paid for the belated payment as per settled law. Further as per the communication received from the respondents under RTI Act 2005, the said amounts are still due



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to the petitioner. Hence, seeks direction to the respondent to pay the above amounts along with 6% interest for belated payment of retiral benefits.

3. Heard Mr.N.Ishak, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned counsel appearing for the respondents.

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 pending amounts to the petitioner along with 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



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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.

03.07.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/137, Salamedu, Valudharaddy Post, Villupuram – 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Vellore Regional Office, Rangapuram, Vellore – 632 009.



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N.SATHISH KUMAR, J.

VTC

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