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W.P.No.19071 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19071 of 2023

K.Manoharan

...Petitioner

Vs

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep by its Managing Director, Coimbatore.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pay interest to the petitioner at the rate of 18% per annum for the period of delay from 01.08.2021 to 27.03.2023 in paying the amounts paid towards terminal benefits viz., EPF Employee's contribution, Gratuity and Encashment of Earned/Sick Leaves within the time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.M.Murali Vinodh
Standing Counsel



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ORDER

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Heard Mr.V.Ajoy Khose, learned counsel for the petitioner and Mr.M.Murali Vinodh, learned Standing Counsel for the respondent.

2. The petitioner herein, who was serving as Senior Tradesman under the respondent Corporation, had retired from service on 31.07.2021 under Voluntary Retirement Scheme. However, his retirement benefits came to be settled only on 28.03.2023. The petitioner had given a representation on 19.05.2023, 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 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



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to the 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 i.e., between 01.08.2021 and 27.03.2023 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.

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

To

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep by its Managing Director, Coimbatore.



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M.S.RAMESH,J.

sr

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