



W.P.No.19522 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19522 of 2023

V.Shanthi

...Petitioner

Vs

1. Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Rep. by the Managing Director,
3/137, Salamedu, Valudhareddy Post,
Villupuram - 605 602.

2. Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Rep. by the General Manager,
Vellore Regional Office,
Rangapuram, Vellore - 632 009.

...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 amounts to the petitioner for the belatedly paid service gratuity and provident fund at the rate of 6% per annum for 23 months of delayed payment in line with the order dated 19.01.2021 made in W.P.No.15886 of 2020.



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For Petitioner : Mr.N.Ishak

For Respondents : Mr.R.Venkatesa Perumal,
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 petitioner's husband late S.Venkataraman, during his service under the respondent Corporation, had died on 15.12.2020. However, his retirement benefits, i.e. gratuity and provident fund, were settled only on 13.12.2022, after a lapse of two years. The petitioner had given separate representations to the respondents on 13.06.2023, seeking for interest on the belated payment of the aforesaid retirement benefits, which are 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



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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 of the petitioner's husband to the petitioner herein, from the date of the employee's death 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.

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Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu, Valudhareddy Post,
Villupuram - 605 602.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Regional Office,
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