



W.P.No.20763 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.20763 of 2023

J.Balasubramanian

... Petitioner

Vs

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

2. The Administrator
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai – 600 002.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pay interest @ 4% for the belated payment of terminal benefits namely the Provident Fund amount, Gratuity amount, Leave Salary amount and commutation of pension amount to the petitioner representation dated



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03.07.2023 for the period from 30.06.2022 [Date of retirement] to till the date of payment by following the Order passed in W.A. [MD] Nos.383 to 457 of 2015 dated 12.06.2015 within a time frame.

For Petitioner : Mr.V.S.Jagadeesan

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

ORDER

This Writ Petition has been filed to direct the respondents to pay interest @ 4% for the belated payment of terminal benefits namely the Provident Fund amount, Gratuity amount, Leave Salary amount and commutation of pension amount to the petitioner based on the representation of the petitioner dated 03.07.2023 for the period from 30.06.2022 [Date of retirement] to till the date of payment by following the Order passed in W.A. [MD] Nos.383 to 457 of 2015 dated 12.06.2015 within a time frame.

2. The contention of the petitioner is that he retired from service on 30.06.2022 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 on 25.06.2023 and no interest was paid for the belated payment as per settled law. Hence, seeks 4% interest for belated payment of retiral benefits.

3. Heard the learned counsel for the petitioner, 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 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 of eight weeks from the date of receipt of a



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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,

1. The Managing Director,
Tamil Nadu State Transport Corporation [VPM] Ltd.,
3/137, Salamedu, Valudharaddy Post, Villupuram – 605 602.
2. The Administrator
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai – 600 002.



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N.SATHISH KUMAR, J.

VTC

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