



WEB COPY



W.P.No.20923 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.20923 of 2023

G.Sampath Kumar

... Petitioner

Vs

The Managing Director,
State Express Transport Corporation,
No.2, Pallavan Salai, Chennai – 600 002.

... Respondent

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondent to pay the petitioner interest for the belated payment of the petitioner terminal benefits namely the P.F., gratuity and earned leave salary at the rate of 12% for the above benefits within a specified time frame as may be fixed by this Court.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.Sivasubramani



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ORDER

This Writ Petition has been filed to direct the respondent to pay the petitioner interest for the belated payment of the petitioner terminal benefits namely the P.F., gratuity and earned leave salary at the rate of 12% for the above benefits within a specified time frame as may be fixed by this Court.

2. The contention of the petitioner is that he retired from service on 31.12.2020 itself. However, his retiral benefits, viz., Provident Fund, Commutation of Pension, Gratuity and Leave Salary etc., have been paid to the petitioner only on 05.12.2022 and no interest was paid for the belated payment as per settled law. Hence, seeks 12% interest for belated payment of retiral benefits.

3. Heard the learned counsel for the petitioner, Mr.Sivasubramani, learned counsel appearing for the respondent.



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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 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 copy of this Order.

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

14.07.2023

Index:Yes/No
Neutral Citation : Yes/No
vrc



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N.SATHISH KUMAR, J.

VTC

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