



W.P.No.21649 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.21649 of 2023

G.Durairaj

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Raod,
Coimbatore – 43.

2.The Administrator,
Tamil Nadu Pension Trust,
Pallavan Salai,
Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to pay interest for the delayed payments made with respect to Gratuity, Provident Fund, and encashment of Earned Leave.

For Petitioner : Mr.D.Anand Raja

For R1 : Mr.A.Vinothraj

For R2 : Mr.C.S.K.Sathish



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ORDER

This writ petition has been filed to direct the 1st respondent to pay interest for the delayed payments made to the petitioner with respect to Gratuity, Provident Fund and encashment of Earned Leave.

2.It is the case of the petitioner that he retired from the respondent Corporation on 30.04.2018 and his retirement benefits were belatedly settled only on 20.09.2019. Therefore, the petitioner is eligible for interest on the belated payment of Gratuity, Provident Fund, and encashment of Earned Leave. Hence, the petitioner seeks interest for the belated payment of his retirement benefits.

3.Heard the learned counsel for the petitioner and Mr.A.Vinothraj, learned counsel, who takes notice for the 1st respondent and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 2nd respondent.

4.This Court, in various decisions, have already taken a view that, in all cases of belated payment of terminal benefits, the concerned



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employee would be entitled to interest at the rate of 4% per annum.

Hence, this Court is of the view that the petitioner is entitled to interest at the rate of 4% per annum on the belated payment of the terminal benefits.

5. Accordingly, the 1st respondent is directed to pay interest at the rate of 4% per annum on the belated payment of the retirement 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.

25.07.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore – 43.

<https://www.mhc.tn.gov.in/judis>



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2.The Administrator,
Tamil Nadu Pension Trust,
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