



W.P.No.21569 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.21569 of 2023

A.Vijayakumar

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/136, Salamedu, Villupuram – 605 602.
 2. The General Manager,
Tamil Nadu State Transport Corporation [VPM] Ltd.,
Tiruvannamalai Region, Vengikal, Tiruvannamalai – 606 604.
 3. The Administrator,
Tamil Nadu State Transport Corporation Employees
Post Retirement Welfare 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 the petitioner interest at the rate of 12% per annum for the belated payment



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of retirement benefits for the period from 30.06.2022 to 30.05.2023, i.e., 11 months on Provident Fund, earned leave and commuted pension, within a specified time.

For Petitioner : Ms.S.Vasanthi

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

Mr.C.S.K.Sathish – R3

ORDER

This Writ Petition has been filed to direct the respondents to pay the petitioner interest at the rate of 12% per annum for the belated payment of retirement benefits for the period from 30.06.2022 to 30.05.2023, i.e., 11 months on Provident Fund, earned leave and commuted pension, within a specified time.

2. It is the case of the Writ Petitioner that he joined Transport Corporation as a conductor and he retired from service on 30.06.2022 after attaining superannuation. It is the contention of the learned



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counsel that the terminal benefits were belatedly settled to the petitioner only on 30.05.2023. Therefore, the petitioner is eligible for interest on the belated payment of Provident Fund, Earned Leave, Commuted Pension and other benefits. Hence, seeks interest at the rate of 6% p.a. for belated payment of retirement benefits of the petitioner.

3. Heard Ms.S.Vasanthi learned counsel for the petitioner, Mr.R.Venkatesa Perumal, learned counsel appearing for the first and second respondents and Mr.C.S.K.Sathish, learned counsel appearing for the third respondent.

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.



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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 copy of this Order.

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

24.07.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/136, Salamedu, Villupuram – 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation [VPM] Ltd.,
Tiruvannamalai Region, Vengikal, Tiruvannamalai – 606 604.



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3. The Administrator,
Tamil Nadu State Transport Corporation Employees
Post Retirement Welfare Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai – 600 002.



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N.SATHISH KUMAR, J.

VTC

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