



WEB COPY



W.P.No.21519 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.21519 of 2023

K.Arumugam

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Represented by its Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Regional Office,
Rangapuram, Vellore – 632 009.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay the pending amounts of dues payable to the petitioner viz. salary dues of Rs.8596/- and Retirement Benefits Fund of Rs.11650/- as being communicated in Letter No. 10667 - 11188 (4) / PIO / TNSTC (C) / 2023 dated 14.06.2023 under Right to Information Act 2005 along with interest at the rate of not less than 12 percent per annum payable from the date of retirement within the time that may be stipulated by this Honble Court on lines with the orders of this Hon'ble Court made in W.P. No. 17792 of 2023 dated 15.06.2023.



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For Petitioner : Mr.N.Ishak

For R1 and R2 : Mr.R.Venkatesa Perumal

ORDER

This writ petition has been filed to direct the respondents to pay the salary dues of Rs.8,596/- and retirement benefit of Rs.11,650/- to the petitioner, along with interest at the rate of not less than 12% per annum payable from the date of retirement, in line with the orders of this Court made in W.P.No.17792 of 2023, dated 15.06.2023.

2.It is the case of the petitioner that he retired from the respondent Corporation on 31.01.2012. However, 11 days salary for the period from 21.01.2012 to 31.01.2012 and the Retirement Benefit Fund Scheme amount are yet to be paid to the petitioner. To an application made under the Right to Information Act, 2005, seeking the amount due to the petitioner, the respondents, in their reply dated 14.06.2023, have stated that the petitioner is entitled to a sum of Rs.8,596/- towards 11 days salary and Rs.11,650/- towards Amma Pension Scheme.



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3.Heard Mr.N.Ishak, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned counsel who takes notice for the respondents.

4.In view of the admitted fact that the petitioner is eligible for the aforesaid amounts, which have not been paid till date, the petitioner would be entitled for interest on the outstanding amount. 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 outstanding amount.

5.Accordingly, the respondents are directed to pay the petitioner a sum of Rs.8,596/- towards 11 days salary and Rs.11,650/- towards Retirement Benefit Fund Scheme with interest at the rate of 4% per annum 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.



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N. SATHISH KUMAR, J.
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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,
(Villupuram) Ltd.,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Regional Office,
Rangapuram, Vellore – 632 009.

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