



WEB COPY



WP.Nos.21532 & 21534 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.Nos.21532 & 21534 of 2023

V.Murali
C.Shanmugam

.. Petitioner in W.P.No.21532 of 2023
.. Petitioner in W.P.No.21534 of 2023

Versus

1.The Managing Director
Tamil Nadu State Transport Corporation (Salem) Limited
No.12, Ramakrishna Road
Salem – 636 007

2.The General Manager
Tamil Nadu State Transport Corporation (Salem) Limited
Dharmapuri Region
Bharathipuram
Dharmapuri

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

.. Respondents in both cases

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the interest for belated payment of amount of Provident Fund, Gratuity, Earned Leave Salary, Pension Commutation and consequently direct the respondents to settle Earned Leave Surrender from the years 2010-2019, ERBS Pension amount, IRT amount and 10 days salary amount along with interest.



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In both cases

For Petitioners : Mr.J.Pradeep

For Respondents : Mr.K.Raja for R1 & 2
Mr.C.S.K.Sathish for R3

COMMON ORDER

These Writ Petitions have been filed seeking to direct the respondents to disburse the interest for belated payment of amount of Provident Fund, Gratuity, Earned Leave Salary, Pension Commutation and consequently direct the respondents to settle Earned Leave Surrender from the years 2010-2019, ERBS Pension amount, IRT amount and 10 days salary amount along with interest.

2. It is the case of the writ petitioners that they were joined in the respondent Corporation and they had retired from their service. It is the grievance of the writ petitioners that the respondents paid the retirement benefits such as Provident Fund, Gratuity, Earned Leave Salary, Pension Commutation amount belatedly without any interest. Hence, they made representations requesting the respondents to pay interest at the rate of 12% per annum for Provident Fund, Gratuity, Earned Leave Salary, Pension Commutation amount and other unsettled terminal benefits of Earned Leave Surrender from the years 2010-2019, ERBS Pension amount, IRT amount and



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10 days salary amount with interest and the same has not been considered.

Hence, these writ petitions.

3. It is the contention of the learned counsel for the petitioners that though certain retirement benefits have been paid and the same have been paid belatedly and still the terminal benefits have not been paid. The retirement benefits have not been paid on time, which is the last source of income to the retired employee.

4. In such view of the matter, the respondents Corporation is directed to pay 4% interest per annum for the belated payments of retirement benefits paid to the petitioners and also directed to disburse the unpaid terminal benefits, if any, within a period of two months from the date of receipt of a copy of this order, with interest at the rate of 4% per annum for delayed period.

5. With the above direction, these writ petition stands disposed of. There shall be no order as to costs.

21.07.2023

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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N.SATHISH KUMAR, J.

dhk

To

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