



WEB COPY



W.P.No.23150 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.23150 of 2022

G.Manonmani

...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Coimbatore-43.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement
Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to disburse the payments relating to belated payment of interest amount at the rate of 12% on benefits like Provident Fund, Gratuity, Earned Leave Salary and other unsettled benefits like ERBS Pension Amount from 01.06.2019 and EL Surrender Arrears with effect from 2009, within a stipulated time as fixed by this Court.

For Petitioner : Mr.M.Varun Kumar
For Respondent-1: Mr.M.Murli Vinoth,
Standing Counsel
For Respondent-2: Mr.C.S.K.Sathish
Standing Counsel



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ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein, who served as Junior Assistant under the respondent Corporation, had retired from service on 31.05.2019. However, her retirement benefits (PF, Gratuity & EL Salary) came to be settled only on 22.01.2021. The petitioner had given a representation on 07.06.2022, seeking for interest on the belated payment of the retirement benefits and also to settle the unsettled benefits like ERBS Pension Amount from 01.06.2019 and EL Surrender Arrears with effect from 2009 with interest, which is yet to be considered.

3. 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. In this background, this Court is of the view that the petitioner would be entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.



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4. In the light of the above observations, there shall be a direction to the first respondent herein to pay interest at the rate of 4% per annum on the belated payment of the terminal benefits (PF, Gratuity & EL Salary) to the petitioner and also to disburse the unsettled benefits such as ERBS Pension Amount from 01.06.2019 and EL Surrender Arrears with effect from 2009 along with 4% interest, from the date of her entitlement of the aforesaid retirement benefits till the date of actual disbursement, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

21.06.2023

Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation :Yes / No

DP



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M.S.RAMESH,J.

DP

To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Coimbatore-43.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement
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