



W.P.No.22305 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.22305 of 2023

Vijaya

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Vazhuthareddy Post, Salamedu, Villupuram – 605 602.
 2. The General Manager,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Vellore Region, Vazhuthareddy, Vellore.
 3. The Administrator,
Tamil Nadu State Transport Corporation Employees
Post Retirement Benefit Fund Scheme,
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 disburse the interest for belated payment of amount of Provident Fund, Gratuity,



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Earned Leave Salary, Pension Commutation along with interest at the rate of 12% per annum within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Desinghu

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 disburse the interest for belated payment of amount of Provident Fund, Gratuity, Earned Leave Salary, Pension Commutation along with interest at the rate of 12% per annum within the stipulated time as may be fixed by this Court.

2. It is the case of the Writ Petitioner that she retired from service on 20.01.2020 under Voluntary Retirement Scheme. It is the contention of the learned counsel that the terminal benefits were belatedly settled to the petitioner only on 01.12.2022. Therefore, the petitioner is eligible for interest on the belated payment of Provident Fund, Gratuity, Earned



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Leave, Commuted Pension and other benefits. Hence, seeks interest at the rate of 12% p.a. for belated payment of retirement benefits of the petitioner.

3. Heard Mr.N.Desinghu 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.

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



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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.

28.07.2023

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 [Villupuram] Ltd.,
Vellore Region, Vazhuthareddy, Vellore.
3. The Administrator,
Tamil Nadu State Transport Corporation Employees
Post Retirement Benefit Fund Scheme,
Thiruvalluvar House, Pallavan Salai, Chennai – 600 002.



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N.SATHISH KUMAR, J.

VTC

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