



WEB COPY



W.P.No.22398 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.22398 of 2023

- 1.C.Menon
- 2.D.Chellamuthu
- 3.V.Lakshmipathy
- 4.D.Nagarajan
- 5.G.Palani
- 6.A.Baskaran
- 7.V.Sugumaran
- 8.G.Ponnambalam
- 9.R.Sathiyavel
- 10.S.Kannan

... Petitioners

Vs.

- 1.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road, Cuddalore – 607 002.

- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai – 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to pay interest @ 10% for the belated payment of Gratuity, Provident Fund, Leave Salary and Commutation of Pension amount to the petitioners.



W.P.No.22398 of 2023

For Petitioners : Mr.S.T.Varadarajalu

For R1 : Mr.R.Venkatesa Perumal

For R2 : Mr.C.S.K.Sathish

ORDER

This writ petition has been filed to direct the respondents to pay interest @ 10% for the belated payment of Gratuity, Provident Fund, Leave Salary and Commutation of Pension amount to the petitioners.

2.It is the case of the petitioners that they retired from the respondent Corporation, however, their retirement benefits, viz., Gratuity, Provident Fund, Leave Salary and Commutation of Pension amount were settled belatedly on the following dates :

<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
1.C.Menon	31.03.2020	02.06.2021
2.D.Chellamuthu	31.08.2020	01.12.2022
3.V.Lakshmipathy	30.09.2020	01.12.2022
4.D.Nagarajan	30.09.2020	01.12.2022
5.G.Palani	31.12.2020	01.12.2022
6.A.Baskaran	30.06.2021	27.03.2023
7.V.Sugumaran	30.06.2021	27.03.2023
8.G.Ponnambalam	31.10.2021	27.03.2023
9.R.Sathiyavel	23.11.2021	11.03.2023



W.P.No.22398 of 2023

<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
10.S.Kannan	23.11.2021	13.03.2023

Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits, viz., Gratuity, Provident Fund, Leave Salary and Commutation of Pension amount. Hence, the petitioners seek interest at the rate of 10% per annum for the belated payment of their retirement benefits.

3.Heard the learned counsel for the petitioners, Mr.R.Venkatesa Perumal, learned counsel, who takes notice for the 1st respondent and Mr.C.S.K.Sathish, who takes notice for the 2nd respondent.

4.This Court, in various decisions, have already taken a view that, in all cases of belated payment of terminal benefits, the concerned employee would be entitled to interest at the rate of 4% per annum. Hence, this Court is of the view that the petitioners are entitled to interest at the rate of 4% per annum on the belated payment of the terminal benefits.



W.P.No.22398 of 2023

5. Accordingly, the respondents are directed to pay interest at the rate of 4% per annum on the belated payment of the retirement benefits to the petitioners, from the date of their 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.

31.07.2023
(2/2)

mkn

Internet : Yes
Index : Yes / No
Neutral citation : Yes / No
Speaking order / Nonspeaking order

To

1. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road, Cuddalore – 607 002.

2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai – 600 002.

N. SATHISH KUMAR, J.



WEB COPY



W.P.No.22398 of 2023

mkn

W.P.No.22398 of 2023

31.07.2023
(2/2)