



WEB COPY



WP.No.22641 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.22641 of 2023

K.Shanmugam

.. Petitioner

Versus

1.The Management of
Tamil Nadu State Transport Corporation (Kovai) Limited
Erode Region
Rep by its Managing Director
Erode

2.The Administrator
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust
Thiruvalluvar House
Pallavan Salai, Chennai – 600 002
Respondents

..

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.02.2020 to 01.06.2021 in paying the amounts paid towards his terminal and pension benefits namely EPF Employees' Contribution, Gratuity, Encashment of Earned/Sick Leaves and Commutated Value of Pension.

For Petitioner : Mrs.V.Porkodi
for Mr.V.Ajay Khose

For Respondents : Mr.M.Muralivinodh for R1
Mr.C.S.K.Sathish for R3



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ORDER

WEB COPY This Writ Petition has been filed seeking to direct the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.02.2020 to 01.06.2021 in paying the amounts paid towards his terminal and pension benefits namely EPF Employees' Contribution, Gratuity, Encashment of Earned/Sick Leaves and Commutated Value of Pension.

2. It is the case of the writ petitioner that he had joined in the respondent Corporation on 24.01.1992 as Driver and had retired from his service on 31.01.2020. It is the grievance of the writ petitioner that the respondents paid the retirement benefits such as EPF Employees' Contribution, Gratuity, Encashment of Earned/Sick Leaves and Commutated Value of Pension belatedly without any interest. Hence, he made a representation on 10.06.2023 requesting the respondents to pay interest for belated payments and other unsettled terminal benefits and the same has not been considered. Hence, this writ petition.

3. It is the contention of the learned counsel for the petitioner that though certain retirement benefits have been paid and the same have been paid belatedly and still other the terminal benefits have not been paid. The



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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 petitioner 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.

01.08.2023

dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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To

1.The Managing Director
The Management of
Tamil Nadu State Transport Corporation (Kovai) Limited
Erode Region

2.The Administrator
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust
Thiruvalluvar House
Pallavan Salai, Chennai – 600 002

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