



WEB COPY



W.P.No.23345 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.23345 of 2023

P.S.Manoharan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 43.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode – 638 001.

... 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 for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave and Surrender Leave at the rate of 12% per annum, within a specified time as may be fixed by this Court.

For Petitioner : Mr.N.Senthil Kumar

For Respondents : Mr.M.Murali Vinoth



W.P.No.23345 of 2023

WEB COPY

ORDER

This writ petition has been filed to direct the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave and Surrender Leave at the rate of 12% per annum, within a specified time as may be fixed by this Court.

2.It is the case of the petitioner that he retired from the respondent Corporation on 31.10.2022 and his retirement benefits were belatedly settled only on 22.05.2023. Therefore, it is the contention of the petitioner that the petitioner is eligible for interest on the belated payment of his retirement benefits, viz., Provident Fund, Gratuity, Encashment of Earned Leave and Surrender Leave. Hence, the petitioner seeks interest at the rate of 12% per annum for the belated payment of his retirement benefits.

3.Heard the learned counsel for the petitioner and Mr.M.Murali Vinoth, learned counsel, who takes notice for the respondents.



W.P.No.23345 of 2023

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 petitioner is entitled to interest at the rate of 4% per annum on the belated payment of the terminal benefits.

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 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.

09.08.2023

mkkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order



WEB COPY



W.P.No.23345 of 2023

mkn

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 43.
- 2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode – 638 001.

W.P.No.23345 of 2023

09.08.2023