



W.P.No.22780 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.22780 of 2023

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... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation [Coimbatore] Ltd.,
No.37, Mettupalayam Road, Coimbatore – 641 043.

2. The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension 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 pay interest at the rate of 6% per annum for the delayed payment of gratuity, employees provident fund and earned leave salary from the date of retirement to till the date of payment made to the petitioner within the time stipulated by this Court.



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For Petitioner : Mr.M.Varunkumar

For Respondents : Mr.A.Vinoth Raj
Standing Counsel for the respondents

ORDER

This Writ Petition has been filed to direct the respondents to pay interest at the rate of 6% per annum for the delayed payment of gratuity, employees provident fund and earned leave salary from the date of retirement to till the date of payment made to the petitioner within the time stipulated by this Court.

2. It is the case of the Writ Petitioner that he retired from service on 31.05.2018 on attaining the age of superannuation. It is the contention of the learned counsel that the terminal benefits were belatedly settled to the petitioner only on 18.09.2019. Therefore, the petitioner is eligible for interest on the belated payment of Provident Fund, Gratuity, Earned Leave, Commuted Pension and other benefits. Hence, seeks interest at



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the rate of 6% p.a. for belated payment of retirement benefits of the petitioner.

3. Heard Mr.M.Varunkumar learned counsel for the petitioner and Mr.A.Vinothraj, learned Standing Counsel appearing for the respondents.

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 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



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copy of this Order.

6. With the above direction, this Writ Petition is disposed of. No costs.

02.08.2023

Index: Yes/No

Neutral Citation : Yes/No

vrc

To,

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Tamil Nadu State Transport Corporation Employees
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N.SATHISH KUMAR, J.

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