



WP.No.23140 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR**

WP.No.23140 of 2023

M.Rajamani

...Petitioner

Vs.

1. The Managing Director,  
Tamil Nadu State Transport Corporation (Coimbatore) Limited,  
No.37, Mettupalayam Salai,  
Coimbatore 641 043.
2. The Administrator,  
Tamil Nadu State Transport Corporation  
Employees Post Retirement Welfare Fund Trust,  
Thiruvalluvar House, Pallavan Salai,  
Chennai 600 002.

...Respondents

**Prayer:-** This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation and Earned Leave Salary and other benefits Arrears Earned Leave Surrender, ERBS Pension amount and IRT Share amount with effect from 01.08.2018 within the stipulated time as may be fixed by this Court.



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For Petitioner : Mr.N.Desinghu  
For Respondents  
for R1 : Mr.A.Vinothraj  
for R2 : Mr.C.S.K.Sathish

### **ORDER**

This Writ Petition has been filed to direct the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Commutation and Earned Leave Salary and other benefits of Arrears of Earned Leave Surrender, ERBS Pension amount and IRT Share amount with effect from 01.08.2018.

2. The contention of the petitioner is that he retired from service on 31.07.2018 itself. However, his retiral benefits, viz., Provident Fund, Commutation of Pension, Gratuity and Leave Salary etc., have been paid to the petitioner only on 26.08.2019 and no interest was paid for the belated payment as per settled law. Hence, he seeks interest for the belated payment of retiral benefits.

3. Heard the learned counsel appearing for both sides and perused the materials available on record.



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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 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 copy of this Order.

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

08.08.2023

Index : Yes/No  
pvs



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To

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**N.SATHISH KUMAR.J.,**

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