



WEB COPY



W.P.No.23270 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.23270 of 2023

K.Jayakrishna

... Petitioner

Versus

Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
No.37, Mettupalayam Road,
Coimbatore-641 043.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue appropriate Writs, Orders or Directions and in particular issue a Writ of Mandamus or any other Writ directing the respondent to pay the petitioner of interest payable towards the delayed payment of terminal benefits by 288 days with 12% interest p.a. from the respective due date within a time frame.

For Petitioner : Mr.A.Sivakumaran

For Respondent : Mr.A.Vinothraj

ORDER

This Writ Petition has been filed to direct the respondent to pay the interest payable to the petitioner towards delayed payment of terminal benefits by 288 days with 12% interest p.a. from the respective due date.

2.The contention of the petitioner is that the petitioner retired from



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service on 31.12.2018 and the retirement benefits were belatedly settled to him on 18.09.2019. Therefore, the petitioner is eligible for interest on the belated payment of Provident Fund, Gratuity and Earned Leave Salary. Hence, seeks interest at the rate of 12% p.a. for belated payment of retirement benefits.

3.Heard Mr.A.Sivakumaran, learned counsel for the petitioner and Mr.A.Vinothraj, learned counsel appearing for the respondent.

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 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



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Order.

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

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Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order

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To

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
No.37, Mettupalayam Road,
Coimbatore-641 043.



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N.SATHISH KUMAR, J.
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