



WEB COPY



W.P.No.23260 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.23260 of 2023

1.A.Meganathan
2.S.Kanniappan
3.R.Thiagarajan

... Petitioners

Versus

The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram, Vellore-632 009.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue appropriate writ orders or directions and in particular issue a Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of Gratuity, Leave Salary and Provident Fund amount to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu

For Respondent : Mr.R.Venkatesaperumal

ORDER

This Writ Petition has been filed to direct the respondents to pay interest at 10% for the belated payment of Gratuity, Leave Salary and Provident Fund amount to the petitioners.



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2.The details of the service particulars of the petitioners are as follows:-

<i>S. No.</i>	<i>Name</i>	<i>Designation</i>	<i>Date of Retirement</i>	<i>Date of Payment</i>
1	A.Meganathan	Conductor	31.05.2022	26.06.2023
2	S.Kanniappan	Driver	30.06.2022	26.06.2023
3	R.Thiagarajan	Driver	30.09.2022	26.06.2023

3.The contention of the petitioners is that the petitioners retired from service in the above said dates and the retirement benefits were belatedly settled to them on 26.06.2023. Therefore, the petitioners are eligible for interest on the belated payment of Gratuity, Leave Salary and Provident Fund. Hence, seeks interest at the rate of 10% p.a. for belated payment of their retirement benefits.

4.Heard Mr.S.T.Varadarajalu, learned counsel for the petitioners and Mr.R.Venkatesaperumal, learned counsel appearing for the respondent.

5.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,



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this Court is of the view that the petitioners are entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

6. 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 petitioners, 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.

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

08.08.2023

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

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To
The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram, Vellore-632 009.



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N.SATHISH KUMAR, J.
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