



W.P.No.23410 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.23410 of 2023

- 1.M.Robert Raj
- 2.T.Balasubramanian
- 3.P.Thandalam Selvam
- 4.B.Ravikumar
- 5.P.Velayutham
- 6.N.Shankar
- 7.S.Murugan
- 8.M.Saminathan
- 9.M.Sampath
- 10.S.Palanisamy
- 11.M.Raju
- 12.S.Chandrasekaran
- 13.D.Arumugam
- 14.S.Sivagnanam
- 15.N.Ganesan
- 16.G.Ganesh
- 17.P.Ramachandran
- 18.J.Christoper
- 19.G.Sengottuvelu
- 20.J.Sivanandam
- 21.C.Ezilarasu
- 22.G.Thangaraj
- 23.K.Padmadoss
- 24.M.Karthikeyan
- 25.T.Neelavathi

... Petitioners

Vs.



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1.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Anna Salai,
Chennai – 600 002.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600 002.

... 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 @ 10% for the belated payment of terminal benefits inclusive of commutation to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu

For R1 : Mr.R.Balaji

For R2 : Mr.C.S.K.Sathish

ORDER

This writ petition has been filed to direct the respondents to pay interest @ 10% p.a. for the belated payment of terminal benefits inclusive of commutation to the petitioners.



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2.It is the case of the petitioners that they retired from the respondent Corporation on various dates, however, their retirement benefits were settled belatedly as follows :

<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
M.Robert Raj	31.05.2022	23.05.2023
T.Balasubramanian	30.11.2019	22.01.2021
P.Thandalam Selvam	31.05.2022	30.05.2023
B.Ravikumar	31.01.2020	02.06.2021
P.Velayutham	31.05.2022	23.05.2023
N.Shankar	30.06.2022	23.05.2023
S.Murugan	30.06.2022	23.05.2023
M.Saminathan	31.05.2022	23.05.2023
M.Sampath	31.05.2022	23.05.2023
S.Palanisamy	30.06.2022	23.05.2023
M.Raju	31.07.2022	23.05.2023
S.Chandrasekaran	31.05.2022	23.05.2023
D.Arumugam	31.05.2022	23.05.2023
S.Sivagnanam	31.07.2022	23.05.2023
N.Ganesan	31.05.2022	23.05.2023
G.Ganesh	31.06.2022	23.05.2023
P.Ramachandran	31.05.2022	23.05.2023
J.Christoper	31.07.2022	23.05.2023
G.Sengottuvelu	31.05.2022	23.05.2023
J.Sivanandam	30.11.2022	23.05.2023
C.Ezilarasu	31.06.2022	23.05.2023
G.Thangaraj	31.05.2022	23.05.2023
K.Padmados	31.05.2022	23.05.2023
M.Karthikesan	30.06.2022	23.05.2023
T.Neelavathi (died)	22.10.2021	23.05.2023



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Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits. Hence, the petitioners seek interest at the rate of 10% p.a. for the belated payment of their retirement benefits.

3.Heard the learned counsel for the petitioners, Mr.R.Balaji, learned counsel, who takes notice for the 1st respondent and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 2nd respondent.

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 petitioners are 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



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the petitioners, from the date of their 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, these writ petitions are disposed of.

No costs.

10.08.2023

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

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N. SATHISH KUMAR, J.

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