



WEB COPY



W.P.No.23447 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.23447 of 2023

G.Kuppan

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/137, Salamedu, Villupuram – 605 602.

2. The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
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 difference in leave salary, difference in gratuity, difference in pay and pension arrears with 10 percent interest as per 14th wage settlement dated 24.08.2022 to the petitioner.



W.P.No.23447 of 2023

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mr.R.Venkatesa Perumal – R1

Mr.C.S.K.Sathish – R2

ORDER

This Writ Petition has been filed to direct the respondents to pay difference in leave salary, difference in gratuity, difference in pay and pension arrears with 10 percent interest as per 14th wage settlement dated 24.08.2022 to the petitioner.

2. It is the case of the Writ Petitioner that he retired from service on 30.06.2022. The grievance of the petitioner is that the 14th wage settlement benefit was not extended to the petitioner. Hence, the petitioner is claiming the difference in gratuity, leave salary and difference in pension. In this regard the petitioner has given a representation to the respondents on 06.07.2023. However, the same has not been considered by the respondents. Hence, the present Writ Petition has been filed to settle the above amount along with 10% interest.



W.P.No.23447 of 2023

WEB COPY

3. Heard Mr.S.T.Varadarajulu, learned counsel for the petitioner, Mr.R.Venkatesa Perumal, learned counsel appearing for the first respondent and Mr.C.S.K.Sathish, learned counsel appearing for the second respondent.

4. The learned counsel for the respondents submitted that they would release the eligible amount to the petitioner.

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, 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.

6. Accordingly, the respondents are directed to pay the eligible amount payable to the petitioner along with interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioner,



W.P.No.23447 of 2023

WEB COPY

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.

10.08.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/137, Salamedu, Villupuram – 605 602.
2. The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Pallavan Salai, Chennai – 600 002.



WEB COPY



W.P.No.23447 of 2023

N.SATHISH KUMAR, J.

VTC

WP.No.23447 of 2023

10.08.2023