



WEB COPY



W.P.No.23907 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.23907 of 2023

H.Sumathi

... Petitioner

Versus

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vazhuthareddy,
Villupuram.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai,
Chennai-600002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus directing the respondents 1 and 2 to pay the interest at the rate of 18% per annum for the belated payment of the terminal benefits which includes, gratuity, provident fund, commutation of pension & leave encashment of salary for the period from i.e date of retirement 30.06.2022 to date of payment of the benefits i.e., 26.06.2023 payable to the petitioner for his service rendered in the respondent corporation within the stipulated time.

For Petitioner	:	Mr.P.Paramasiva Doss
For R1	:	Mr.R.Venkatesaperumal
For R2	:	Mr.C.S.K.Sathish



W.P.No.23907 of 2023

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2

to pay the interest at the rate of 18% per annum for the belated payment of the terminal benefits which includes gratuity, provident fund, commutation of pension and leave encashment of salary for the period from i.e., date of retirement 30.06.2022 to date of payment of the benefits i.e., 26.06.2023 payable to the petitioner for his service rendered in the respondent corporation within the stipulated time.

2.The contention of the petitioner is that the petitioner retired from service on 30.06.2022 and the retirement benefits were belatedly settled to him on 26.06.2023. Therefore, the petitioner is eligible for interest on the belated payment of gratuity, provident fund, commutation of pension and leave encashment of salary. Hence, seeks interest at the rate of 18% p.a. for belated payment of retirement benefits.

3.Heard Mr.P.Paramasiva Doss, learned counsel for the petitioner, Mr.R.Venkatesaperumal, learned counsel for the 1st respondent and Mr.C.S.K.Sathish, learned counsel for the 2nd respondent.



W.P.No.23907 of 2023

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 Order.

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

14.08.2023
(2/2)

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

vv2



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To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vazhuthareddy,
Villupuram.

2.The Administrator,
Tamil Nadu State Transport Corporation,
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N.SATHISH KUMAR, J.
vv2

W.P.No.23907 of 2023



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(2/2)