



WEB COPY



W.P.No.25150 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.25150 of 2023

S.Kuppusamy

... Petitioner

-Vs-

1. The Managing Director,
Tamilnadu State Transport Corporation (Coimbatore) Ltd,
Coimbatore region,
No.37, Mettupalayam Road,
Coimbatore-641 043.

2.The Administrator,
Tamilnadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India praying for the issuance 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 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.,09.07.2023 payable to the petitioner for his service rendered in the Respondent Corporation within the stipulated time as may be fixed by this Hon'ble Court.



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For Petitioner : Mr.P.Paramasivados

For Respondents

R1 : Mr.A.Vinodhraj

R2 : Mr.C.S.K.Sathish

ORDER

This Writ Petition has been filed for direction 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 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.,09.07.2023 payable to the petitioner for his service rendered in the Respondent Corporation within the stipulated time as may be fixed by this Hon'ble Court.

2. It is the case of the writ petitioner that he joined in the respondent Corporation on 29.07.1992 and had retired from his service on 30.06.2022. It is the grievance of the writ petitioner that the respondent paid retiral benefits viz., Gratuity, Provident Fund and leave encashment of salary belatedly without any interest. Hence, he made a representation on 31.07.2023 requesting the respondents to pay interest for retiral benefits viz., Provident Fund, Gratuity, Earned Leave Salary and other unsettled terminal benefits and the same has not been considered. Hence, this writ petition.



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WEB COP 3. It is the contention of the learned counsel for the petitioner that though certain retirement benefits have been paid and the same have been paid belatedly and still other the terminal benefits have not been paid. The retirement benefits have not been paid on time, which is the last source of income to the retired employee.

4. In such view of the matter, the respondents Corporation is directed to pay 4% interest per annum for the belated payments of retirement benefits paid to the petitioner and also directed to disburse the unpaid terminal benefits, if any, within a period of two months from the date of receipt of a copy of this order, with interest at the rate of 4% per annum for delayed period.

5. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

25.08.2023
(2/4)

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
mn



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G.K.ILANTHIRAIYAN, J.

mn

To

1. The Managing Director,
Tamilnadu State Transport Corporation (Coimbatore) Ltd,
Vazhuthareddy,
Villupuram.
2. The Administrator,
Tamilnadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

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