



W.P.No.23778 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.23778 of 2023

K.V.Sarath Kumar

..... Petitioner

-Versus-

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram-605602.
- 2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Vellore Region,
Rangapuram, Vellore 632 009.
- 3.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai 600 002.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to pay interest to the petitioner at the rate of 8% per annum for the belated payment of his Surrender Leave Salary, Gratuity, and Commutation and at the rate of 8.1% per annum for



W.P.No.23778 of 2023

the belated payment of his Provident Fund amount within a time limit to be stipulated by this court.

For Petitioner : Mr.J.Lakshminarayanan

*For Respondent (s) : Mr.R.Venkatesa Perumal
for RR1 & 2
Mr.C.S.K.Sathish for R3*

ORDER

This Writ Petition has been filed seeking to issue a writ in the nature of mandamus directing the respondents to pay penal interest to the petitioner at the rate of 8% per annum for the belated payment of his Surrender Leave Salary, Gratuity, and Commutation and at the rate of 8.1% per annum for the belated payment of his Provident Fund.

2. It is the case of the writ petitioner that he joined in the respondent Corporation as Junior Tradesman on 06.05.1987 and retired from service as Senior Tradesman on 30.06.2022. It is the grievance of the writ petitioner that the respondents settled the retirement benefits such as Leave Salary, Gratuity, Provident Fund and Commutation belatedly without any interest. Hence, he made a representation requesting the respondents to pay penal interest for the belated settlement of his retirement benefits but the same has not been considered till date. Hence, this writ petition.



W.P.No.23778 of 2023

3. It is the contention of the learned counsel for the petitioner that the retirement benefits were not settled on time and therefore, the petitioner is entitled to interest on retirement benefits which were settled belatedly.

4. In such view of the matter, the respondent Corporation is directed to pay 4% interest per annum to the petitioner on the retirement benefits, which were settled belatedly, within a period of two months from the date of receipt of a copy of this order.

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

11..08..2023

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

- 1.The Managing Director, Tamil Nadu State Transport Corporation (Villupuram) Ltd., 3/137, Salamedu, Villupuram-605602.
- 2.The General Manager, Tamil Nadu State Transport Corporation (Villupuram) Ltd., Vellore Region, Rangapuram, Vellore 632 009.
- 3.The Administrator, Tamil Nadu State Transport Corporation Employees' Pension Fund Trust, Thiruvalluvar Illam, Anna Salai, Chennai 600 002.



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W.P.No.23778 of 2023

N.SATHISH KUMAR.J.,

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W.P.No.23778 of 2023

11..08..2023