



WEB COPY



WP.No.23986 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.23986 of 2023

S.Vimala

.. Petitioner

Versus

The Management of
Tamil Nadu State Transport Corporation (Kovai) Limited
Rep by its Managing Director
Coimbatore

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pay the petitioner interest at the rate of 6% per annum, for the period of delay from 21.08.2022 to 09.06.2023 in paying the amounts paid towards his terminal benefits namely EPF Employees' Contribution, Gratuity and Encashment of Earned Leaves and Already Surrendered Earned Leaves of her deceased husband/employee (Late) T.Suryagandan, Staff No.4036.

For Petitioner : Mrs.V.Porkodi
for Mr.V.Ajay Khose

For Respondents : Mr.A.Vinodhraj

ORDER

This Writ Petition has been filed seeking to direct the respondents to pay the petitioner interest at the rate of 6% per annum, for the period of delay from 21.08.2022 to 09.06.2023 in paying the amounts paid towards his terminal benefits namely EPF Employees' Contribution, Gratuity and Encashment of



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Earned Leaves and Already Surrendered Earned Leaves of her deceased husband/employee (Late) T.Suryagandan, Staff No.4036.

2. It is the case of the writ petitioner that her husband had joined in the respondent Corporation on 01.04.1999 as Conductor and had died in harness on 20.08.2022. It is the grievance of the writ petitioner that the respondents paid the retirement benefits of her husband such as EPF Employees' Contribution, Gratuity and Encashment of Leaves and Already Surrendered Earned Leaves belatedly without any interest. Hence, she made a representation on 07.07.2023 requesting the respondents to pay interest for belated payments and other unsettled terminal benefits and the same has not been considered. Hence, this writ petition.

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 family of the retired employee.

4. In such view of the matter, the respondents Corporation is directed to



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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, these writ petition stands disposed of. There shall be no order as to costs.

16.08.2023

dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No

N.SATHISH KUMAR, J.



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To
The Managing Director
The Management of
Tamil Nadu State Transport Corporation (Kovai) Limited
Coimbatore

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