



WEB COPY



WP.No.24186 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.24186 of 2023

K.S.Palanisamy

.. Petitioner

Versus

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

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.11.2022 to 30.05.2023 in paying the amounts paid towards his terminal benefits namely EPF Employees' Contribution, Gratuity and Encashment of Leaves and already surrendered earned leaves.

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

For Respondent : Mr.M.Muralivinodh

ORDER

This Writ Petition has been filed seeking to direct the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.11.2022 to 30.05.2023 in paying the amounts paid towards his terminal benefits namely EPF Employees' Contribution, Gratuity and



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Encashment of Leaves and already surrendered earned leaves.

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2. It is the case of the writ petitioner that he had joined in the respondent Corporation on 15.07.1995 as Driver and had retired from his service on 31.10.2022 under VRS. It is the grievance of the writ petitioner that the respondents paid the retirement benefits such as EPF Employees' Contribution, Gratuity and Encashment of Leaves and already surrendered earned leaves belatedly without any interest. Hence, he made a representation on 05.07.2023 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 retired employee.

4. In such view of the matter, the respondent Corporation is directed to pay 4% interest per annum for the belated payments of retirement benefits paid



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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.

17.08.2023

vrc

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
Erode Region

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