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W.P.No.24246 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.24246 of 2023

- 1.A.Rajan
- 2.S.Arivazhagan
- 3.R.Haridoss
- 4.A.Ponnurangam
- 5.S.Muralidharan
- 6.M.Damodaran
- 7.P.Kumaradoss
- 8.A.GopalaKrishnan
- 9.K.Thyagarayam
- 10.S.Sekar
- 11.A.Gnanasekaran
- 12.N.K.Madavan
- 13.S.Karthikeyan
- 14.R.Mani
- 15.K.Ramadoss
- 16.K.Loganathan
- 17.S.Sivasankar

... Petitioners

Vs.

- 1.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Anna Salai,
Chennai – 600 002.

- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600 002.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to pay interest @ 10% for the belated payment of terminal benefits inclusive of Commutation to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu

For R1 : Mr.A.Vinodhraj

For R2 : Mr.C.S.K.Sathish

ORDER

This writ petition has been filed to direct the respondents to pay interest @ 10% for the belated payment of terminal benefits inclusive of Commutation to the petitioners.

2.It is the case of the petitioners that they retired from the respondent Corporation, however, their retirement benefits, inclusive of Commutation, were settled belatedly on the following dates :

<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
A.Rajan	30.04.2022	23.05.2023
S.Arivazhagan	31.05.2022	23.05.2023
R.Haridoss	31.05.2022	23.05.2023
A.Ponnurangam	30.06.2022	23.05.2023
S.Muralidharan	30.06.2022	23.05.2023



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<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
M.Damodaran	30.06.2022	23.05.2023
P.Kumaradoss	30.06.2022	23.05.2023
A.GopalaKrishnan	30.06.2022	23.05.2023
K.Thyagarayam	30.06.2022	23.05.2023
S.Sekar	31.08.2022	23.05.2023
A.Gnanasekaran	31.07.2022	23.05.2023
N.K.Madavan	31.07.2022	23.05.2023
S.Karthikeyan	31.07.2022	23.05.2023
R.Mani	30.11.2021	23.05.2023
K.Ramadoss	30.09.2022	23.05.2023
K.Loganathan	31.03.2018	04.10.2023
S.Sivasankar	31.03.2022	10.03.2023

Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits. Hence, the petitioners seek interest at the rate of 10% per annum for the belated payment of their retirement benefits.

3.Heard the learned counsel for the petitioners, Mr.A.Vinodhraj, learned counsel, who takes notice for the 1st respondent and Mr.C.S.K.Sathish, who takes notice for the 2nd respondent.

4.This Court, in various decisions, have already taken a view that, in all cases of belated payment of terminal benefits, the concerned employee would be entitled to interest at the rate of 4% per annum.



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Hence, this Court is of the view that the petitioners are entitled to interest at the rate of 4% per annum on the belated payment of the terminal benefits.

5. Accordingly, the respondents are directed to pay interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioners inclusive of Commutation, from the date of their 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.

18.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order



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N. SATHISH KUMAR, J.

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