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W.P.Nos.24266, 24267, 24268 & 24270 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.24266, 24267, 24268 & 24270 of 2023

K.Doss	... Petitioner in W.P.No.24266 of 2023
M.Karunanidhi	... Petitioner in W.P.No.24267 of 2023
K.Kesavan	... Petitioner in W.P.No.24268 of 2023
N.Jayakumar	... Petitioner in W.P.No.24270 of 2023

Vs.

- 1.Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Represented by the Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.
- 2.Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Represented by the General Manager,
Kancheepuram Regional Office,
Ponnerikarai,
Chennai Bangaluru Highway,
Kancheepuram – 631 552.



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3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.

... Respondents
in W.P.Nos.24266,
24268 & 24270 of 2023

1.Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Represented by the Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.

2.Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Represented by the General Manager,
Kancheepuram Regional Office,
Karapettai
Chennai Bangaluru Highway,
Kancheepuram – 631 552.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.

... Respondents
in W.P.No.24267 of 2023

Prayer in W.P.No.24266 of 2023 : 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 amounts to the belatedly paid Provident Fund, Leave Liability, Service Gratuity and Commutation of Pension amount to the petitioner at the rate of 4% per annum for 12 months of delayed payment in accordance with the order dated 03.07.2023 made in W.P.No.19221 of 2023.



W.P.Nos.24266, 24267, 24268 & 24270 of 2023

Prayer in W.P.No.24267 of 2023 : 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 amounts to the belatedly paid Provident Fund, Leave Liability, Service Gratuity and Commutation of Pension amount to the petitioner at the rate of 4% per annum for 11 months of delayed payment in accordance with the order dated 03.07.2023 made in W.P.No.19221 of 2023.

Prayer in W.P.No.24268 of 2023 : 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 amounts to the belatedly paid Provident Fund, Leave Liability, Service Gratuity and Commutation of Pension amount to the petitioner at the rate of 4% per annum for 17 months of delayed payment in accordance with the order dated 03.07.2023 made in W.P.No.19221 of 2023.

Prayer in W.P.No.24270 of 2023 : 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 amounts to the belatedly paid Provident Fund, Leave Liability, Service Gratuity and Commutation of Pension amount to the petitioner at the rate of 4% per annum for 22 months of delayed payment in accordance with the order dated 03.07.2023 made in W.P.No.19221 of 2023.



W.P.Nos.24266, 24267, 24268 & 24270 of 2023

For Petitioner : Mr.N.Ishak
in all writ petitions

For R1 and R2 : Mr.R.Venkatesa Perumal
in all writ petitions

For R3 : Mr.C.S.K.Sathish
in all writ petitions

COMMON ORDER

These writ petitions have been filed to direct the respondents to pay interest amount to the belatedly paid Provident Fund, Leave Liability, Service Gratuity and Commutation of Pension amount to the petitioners at the rate of 4% per annum for the delayed period in accordance with the order dated 03.07.2023 made in W.P.No.19221 of 2023.

2.It is the case of the petitioners that they retired from the respondent Corporation, however, their retirement benefits, viz., Provident Fund, Leave Liability, Service Gratuity and Commutation of Pension were settled belatedly as follows :

<i>Petitioner in</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
W.P.No.24266 of 2023	31.05.2022	30.05.2023
W.P.No.24267 of 2023	30.06.2022	30.05.2023
W.P.No.24268 of 2023	31.10.2021	27.03.2023
W.P.No.24270 of 2023	31.05.2021	27.03.2023



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Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits, viz., Provident Fund, Leave Liability, Service Gratuity and Commutation of Pension. Hence, the petitioners seek interest at the rate of 4% for the belated payment of their retirement benefits.

3.Heard the learned counsel for the petitioners, Mr.R.Venkatesa Perumal, learned counsel, who takes notice for the respondents 1 and 2 and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 3rd 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. 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.



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5. Accordingly, the respondents are directed to pay interest at the rate of 4% per annum on the belated payment of the retirement benefits to the petitioners, 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, these writ petitions are disposed of.

No costs.

18.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Regional Office,
Ponnerikarai, Chennai Bangaluru Highway,
Kancheepuram – 631 552.



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3.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Regional Office,
Karapettai,
Chennai Bangaluru Highway,
Kancheepuram – 631 552.

4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
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N. SATHISH KUMAR, J.

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