



W.P.Nos.24305 of 2023, etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.24305, 24308, 24309, 24311, 24313 & 24314 of 2023

W.P.No.24305 of 2023 :

R.Dravida Mani

... Petitioner

Vs.

1.Metropolitan Transport Corporation Ltd.,
Represented by its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

2.The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 600 002.

... Respondents

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 the petitioner, interest for the belated payment of Provident Fund, Earned Leave Salary, Gratuity and Commuted Value of Pension at the rate of 12% per annum, within a specified time as may be fixed by this Court.



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For Petitioner : Mr.V.Ajoy Khose
in all writ petitions

For R1 : Mr.A.Vinodhraj
in all writ petitions

For R2 : Mr.C.S.K.Sathish
in all writ petitions

COMMON ORDER

These writ petitions have been filed to direct the respondents to pay the petitioners, interest at the rate of 12% per annum for the belated payment of their terminal and pension benefits, viz., Provident Fund, Earned Leave Salary, Gratuity and Commuted Value of Pension, within a time frame as may be fixed by this Court.

2.It is the case of the petitioners that they retired from the respondent Corporation, however, their retirement benefits, viz., Provident Fund, Earned Leave Salary, Gratuity and Commuted Value of Pension, were settled belatedly on the following dates :

<i>Petitioner in</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
W.P.No.24305 of 2023	31.05.2022	23.05.2023
W.P.No.24308 of 2023	31.08.2019	21.01.2021
W.P.No.24309 of 2023	30.11.2022	23.05.2023
W.P.No.24311 of 2023	30.06.2022	30.05.2023



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<i>Petitioner in</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
W.P.No.24313 of 2023	31.10.2022	30.05.2023
W.P.No.24314 of 2023	31.05.2022	23.05.2023

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, Earned Leave Salary, Gratuity and Commuted Value of Pension. Hence, the petitioners seek interest at the rate of 12% 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, learned counsel, 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. 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

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Managing Director,
Metropolitan Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai – 600 002.

2. The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
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N. SATHISH KUMAR, J.
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