



WEB COPY



W.P.No.24643 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

**W.P.No.24643 of 2023**

1. R.Swaminathan
2. S.Puviyarasu
3. K.P.Devaraj
4. M.Karikalan

... Petitioners

-Vs-

1. The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
37, Mettupalayam Road,  
Coimbatore-43.
2. The General Manager,  
Tamil Nadu State Transport Corporation Ltd.,  
Erode Region, Chennimalai Road,  
Erode-638 001.
3. The Administrator,  
Tamil Nadu State Transport Corporation EPF Trust,  
Thiruvalluvar House, Anna Salai,  
Chennai-2.

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave, Surrender Leave and Commuted Value of Pension, at the rate of 12% per annum, within a specified time as may be fixed by this Hon'ble Court.



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For Petitioners : Mr.N.Palani Kumar  
For R1 : Mr.A.Vinodhraj  
For R2 : Mr.M.Murali Vinodh  
For R3 : Mr.C.S.K.Sathish

### **ORDER**

This Writ Petition has been filed to direct the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave, Surrender leave and Commuted Value of Pension, at the rate of 12% per annum within the time stipulated by this Court.

2. It is the case of the Writ Petitioners that the writ petitioners 1 and 2 retired from service on 30.06.2022, the third petitioner retired from service on 31.05.2022 and the fourth petitioner retired from service on 31.07.2022. It is the contention of the learned counsel that the terminal benefits were belatedly settled to the petitioners only on 22.05.2023. Therefore, the petitioners are eligible for interest on the belated payment of Provident Fund, Gratuity, Earned Leave, Commuted Pension and other benefits. Hence, seeks interest at the rate of 6% p.a. for belated payment of retirement benefits of the petitioners.

3. Heard the learned counsel for the petitioners and the learned counsel for the respondents and perused the materials available on record.



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

5. Accordingly, the first respondent is directed to pay interest at the rate of 4% per annum on the belated payment of the terminal 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 directions, this Writ Petition is disposed of. No costs.

22.08.2023  
(1/2)

Internet : Yes  
Index : Yes/No  
Speaking order/Non-speaking order  
mn/nsl



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**G.K.ILANTHIRAIYAN, J.**

mn

To

1. The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
37, Mettupalayam Road,  
Coimbatore-43.
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