



WEB COPY



W.P.No.24684 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.24684 of 2023

E.Dhanasekaran

... Petitioner

-Vs-

1. Tamil Nadu State Transport Corporation (Villupuram-) Ltd.,
represented by The Managing Director,
No.3/137, Salamedu, Valudhareddy Post,
Villupuram District-605 602.
2. Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
represented by The General Manager,
Kancheepuram Regional Office,
Ponnerikkarai,
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

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing 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



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annum for 12 months of delayed payment in accordance with the order made by this Hon'ble Court on 03.07.2023 in W.P.No.19221 of 2023.

For Petitioner : Mr.N.Ishak
For R1 and R2 : Mr.R.Venkatesa Perumal
For R3 : Mr.C.S.K.Sathish

ORDER

This Writ Petition has been filed directing 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 made by this Hon'ble Court on 03.07.2023 in W.P.No.19221 of 2023.

2. The contention of the learned counsel for the petitioner is that the petitioner had retired from service on 31.05.2022. However, his retiral benefits, viz., Provident Fund, Leave Liability, Service Gratuity and Commutation of pension amount has been paid to the petitioner only on 30.05.2023, after a lapse of 12 months and no interest was paid for the belated payment as per settled law. Hence, he seeks 4% interest for belated payment of retiral benefits.

3. Heard the learned counsel for the petitioner 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 petitioner, from the date of his 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
(1/3)

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 (Villupuram-) Ltd.,
No.3/137, Salamedu, Valudhareddy Post,
Villupuram District-605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Kancheepuram Regional Office,
Ponnerikkarai,
Chennai Bangaluru Highway,
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3. The Administrator,
Tamil Nadu State Transport Corporation
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