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W.P.Nos.24702, 24704, 24705, 24707, 24708 & 24942 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.24702, 24704, 24705, 24707, 24708 & 24942 of 2013

WP.No.24702 of 2023

R.Loganathan

... Petitioner

Vs

1. Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Rep. by the Managing Director,
3/137, Salamedu, Valudharaddy Post, Villupuram ? 605 602.

2. Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Rep. by the General Manager,
Kancheepuram Regional Office,
Ponnerikkarai,
Chennai ? Bangalore 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 is filed, under the Article 226 of Constitution of
India, to issue a Writ of Mandamus directing the respondents to pay



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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 10 months of delayed payment in accordance with the Order dated 03.07.2023 made in W.P.No.19221 of 2023.

For Petitioner
in all WP's : Mr.N.Ishak

For Respondents
in all WP's
For R1 & 2 : Mr.R.Venkatesa Perumal

For R3 : Mr.C.S.K.Sathish

COMMON ORDER

These writ petitions have been filed to direct the respondents to pay interest amounts to the belatedly Provident Fund, Leave Liability, Service Gratuity and Commutation of pension amount to the petitioners at the rate of 4% per annum for 10 months and 13 months respectively of delayed payment in accordance with Order dated 03.07.2023 made in W.P.No.19221 of 2023.



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2. The contention of the petitioners is that they retired from service as early as on 31.07.2022, 31.10.2022, 30.11.2022, 31.05.2022 respectively. However, their retiral benefits, viz., Provident Fund, Leave Liability, Service Gratuity and Commutation of pension amount have been paid to the petitioners only in the year 2023, after a lapse of 10 months and 13 months respectively, and no interest was paid for the belated payment as per settled law. Hence, they seek 4% interest for belated payment of retiral benefits.

3. Heard, the learned counsel for the petitioners; Mr.R.Venkatesa Perumal, learned counsel appearing for the first and second respondents and Mr.C.S.K.Sathish, learned counsel appearing for the third respondent.

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 petitioners are entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.



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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 direction, all the Writ Petitions are disposed of.

No costs.

24.08.2023

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

- 1.Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/137, Salamedu, Valudharaddy Post, Villupuram ? 605 602.
- 2.General Manager,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
Kancheepuram Regional Office,
Ponnerikkarai,
Chennai ? Bangalore Highway,
Kancheepuram ? 631 552.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai ? 600 002.
4. The Government Advocate,
High Court, Madras.

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24.08.2023