



W.P.No.24814 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.24814 of 2023

P.Sellamuthu

... Petitioner

Vs

1. The Management of
Tamil Nadu State Transport Corporation [Kovai] Ltd.,
Erode Region, Rep. by its Managing Director,
Erode.

2. The Administrator
Tamil Nadu State Transport Employees Fund Trust,
Thiruvalluvar Illam, 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 the petitioner interest at the rate of 18 percent per annum for the period of delay from 01.01.2021 to 01.12.2022 in paying the amounts paid towards his terminal and pension benefits namely EPF Employees



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Contribution, Gratuity, Encashment of Leaves and Commutated Value of Pension within a time frame as may be fixed by this Court and without affecting his right to claim balance amount towards those benefits.

For Petitioner : Ms.Nandhini
for Mr.V.Ajoy Khose

For Respondents : Mr.M.Murali Vinodh – R1

Mr.C.S.K.Sathish – R2

ORDER

This Writ Petition has been filed to direct the respondents to pay the petitioner interest at the rate of 18 percent per annum for the period of delay from 01.01.2021 to 01.12.2022 in paying the amounts towards his terminal and pension benefits namely EPF Employees Contribution, Gratuity, Encashment of Leaves and Commutated Value of Pension within a time frame as may be fixed by this Court and without affecting his right to claim balance amount towards those benefits.



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2. The contention of the petitioner is that the petitioner voluntarily retired from service on 31.12.2020 and his retirement benefits were belatedly credited to the account of the petitioner only on 01.12.2022. Therefore, the petitioner is eligible for interest on the belated payment of Provident Fund, Gratuity, Earned Leave Salary, Commutation and other benefits. Hence, seeks interest for belated payment of his retirement benefits.

3. Heard Ms.Nadhini, learned counsel for the petitioner, Mr.M.Murali Vinodh, learned counsel appearing for the first respondent and Mr.C.S.K.Sathish, learned counsel appearing for the second 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 petitioner is entitled for interest



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at the rate of 4% per annum on the belated payment of the terminal benefits.

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 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 direction, this Writ Petition is disposed of. No costs.

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Index:Yes/No

Neutral Citation : Yes/No

vrc



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To,
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Erode.
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N.SATHISH KUMAR, J.

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