



WEB COPY



WP.No.25339 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR**

WP.No.25339 of 2023

J.Saminathan

.. Petitioner

Versus

1.The Managing Director  
Tamil Nadu State Transport Corporation (Salem) Limited  
No.12, Ramakrishna Road  
Salem – 636 007

2.The General Manager  
Tamil Nadu State Transport Corporation (Salem) Limited  
Dharmapuri Region  
Bharathipuram, Dharmapuri District

3.The Administrator  
Tamil Nadu State Transport Corporation  
Employees Post Retirement Welfare Fund Scheme  
Thiruvalluvar House, Pallavan Salai  
Chennai – 600 002

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave salary and Commutation other benefits, Arrears of Leave Surrender and ERBS Pension with effect from 01.03.2019.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.K.Raja for R1 & R2  
Mr.C.S.K.Sathish for R3



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## **ORDER**

**WEB COPY** This Writ Petition has been filed seeking to direct the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Earned Leave salary and Commutation other benefits, Arrears of Leave Surrender and ERBS Pension with effect from 01.03.2019.

2. It is the case of the Writ Petitioner that he retired from his service on 28.02.2019. The grievance of the petitioner is that interest for the terminal benefits are not paid. In this regard, the petitioner has given representation to the respondents on 26.06.2023, however, the same has not been considered by the respondents. Hence, the present Writ Petition.

3. The learned counsel for the respondents submitted that they would release the eligible amount to the petitioner.

4. Heard both sides and perused the materials placed on record. 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



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the belated payment of the terminal benefits.

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5. Accordingly, the respondents are directed to pay the eligible amount along with 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 direction, this Writ Petition is disposed of. No costs.

29.08.2023

dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No

To

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Salem – 636 007

2.The General Manager  
Tamil Nadu State Transport Corporation (Salem) Limited  
Dharmapuri Region  
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