



W.P.Nos.25407, 25409, 25410 & 25411 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.25407, 25409, 25410 & 25411 of 2023

R.Arul Francis Xavier	... Petitioner in W.P.No.25407 of 2023
V.Dhayalamurthy	... Petitioner in W.P.No.25409 of 2023
M.Karunanidhi	... Petitioner in W.P.No.25410 of 2023
S.Kuppusamy	... Petitioner in W.P.No.25411 of 2023

Vs.

1.The State of Tamil Nadu represented by
its Principal Secretary
Transport Department,
Fort St. George, Chennai – 600 009.

2.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Chennai.

3.Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust
Represented by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.

... Respondents
in all writ petitions



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Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to pay interest at the rate of 6% per annum for the belated payment of Leave Salary, Provident Fund, Gratuity and Commutation, as sought for in their representation, dated 15.07.2023, within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar
in all writ petitions

For R1 : Mr.P.Baladhandayutham
Special Government Pleader
in all writ petitions

For R2 : Mr.S.Sivasubramani
in all writ petitions

For R3 : Mr.C.S.K.Sathish
in all writ petitions

COMMON ORDER

These writ petitions have been filed to direct the respondents to pay interest at the rate of 6% per annum to the petitioners for the belated payment of Leave Salary, Provident Fund, Gratuity and Commutation, as sought for in their representation, dated 15.07.2023, within a time to be stipulated by this Court.



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2.It is the case of the petitioners in W.P.Nos.25407, 25409, 25410 and 25411 of 2023 retired from the respondent Corporation on 30.06.2022, 31.05.2022, 31.05.2022 and 30.06.2022, respectively, however, their retirement benefits, viz., Leave Salary, Provident Fund, Gratuity and Commutation, were settled belatedly. Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits, viz., Leave Salary, Provident Fund, Gratuity and Commutation . Hence, the petitioners seek interest at the rate of 6% per annum for the belated payment of their retirement benefits.

3.Heard the learned counsel for the petitioners, Mr.P.Baladhandayutham, learned Special Government Pleader, who takes notice for the 1st respondent, Mr.S.Sivasubramani, learned counsel, who takes notice for the 2nd respondent and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 3rd respondent.

4.This Court, in various decisions, have already taken a view that, in all cases of belated payment of terminal benefits, the concerned



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employee would be entitled to interest at the rate of 4% per annum.

Hence, this Court is of the view that the petitioners are entitled to interest 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 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, these writ petitions are disposed of.
No costs.

7. The learned counsel for the respondents are permitted to claim separate fees for each writ petition.

30.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

<https://www.mhc.tn.gov.in/judis>



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To
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- 1.The Principal Secretary
State of Tamil Nadu,
Transport Department,
Fort St. George, Chennai – 600 009.
- 2.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Chennai.
- 3.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
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N. SATHISH KUMAR, J.
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